

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36775 of 2019

Arising Out of PS. Case No.-87 Year-2019 Thana- ISLAMPUR District- Nalanda

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1. GORAKA @ NITISH KUMAR @ NITISH CHAUDHARY Son of Virendra Chaudhary, Resident of Village - Budha Nagar, P.S.- Islampur, Distt.- Nalanda.
 2. Sunil Yadav Son of Late Mithu Yadav, Resident of Village - Talab Par Budha Nagar, P.S.- Islampur, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Singh
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-06-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Islampur P.S. Case No. 87 of 2019 registered for offence punishable under section 30 (A) of the Bihar Prohibition and Excise Act.

The police intercepted scooty and recovered 21 litres of illegal liquor but the person, who was caught, has disclosed the name of these petitioners.

The learned counsel for the petitioners submits that the petitioners were not there and have wrongly been framed in the present case.



Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of 3rd A.D.J.-cum-Special Judge, Excise Act, Bihar Sharif, Nalanda in connection with Islampur P.S. Case No. 87 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds.

(Shivaji Pandey, J)

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