

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36494 of 2019**

Arising Out of PS. Case No.-95 Year-2019 Thana- KAUWAKOL District-
Nawada

- =====
1. PANKAJ KUMAR, aged about 25 years, male, Son of Maheshwar Yadav Resident of Village- Gudighat, Police Station- Kawakole, District- Nawada.
 2. Kebi Kumar, aged about 21 years, male, Son of Umesh Yadav Resident of Village- Gudighat, Police Station- Kawakole, District- Nawada.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Vibhuti Ranjan Sonvadra, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 13-06-2019 As prayed, learned counsel for the petitioners is permitted to make correction in the name of petitioner no. 2 in the petition in course of the day.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners are in custody since 03.04.2019 in connection with Kawakole P.S. Case No. 95 of 2019 for the offences alleged under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

4. It is submitted that the petitioners have been falsely implicated in connection with recovery of 150 litres of country made liquor. The seizure list does not contain the signature of any independent witness nor complies with the requirements of Section 100 Cr. P.C. which creates considerable doubt about the veracity of the prosecution story. The petitioners claim clean antecedents.



5. Be that as it may, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-II cum Special Judge, Excise, Nawada, in connection with Kawakole P.S. Case No. 95 of 2019, on the following conditions-

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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