

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45852 of 2019

Arising Out of PS. Case No.-280 Year-2019 Thana- BODHGAYA District- Gaya

1. NIRAJ KUMAR Son of Chhotu Singh, Resident of Village-Birhut, P.S.- Bodh Gaya (Cherki), District-Gaya.
2. Dippu Kumar Son of Dinesh Singh, Resident of Village-Birhut, P.S.-Bodh Gaya (Cherki), District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Rita Verma

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 24-07-2019 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 Bodh Gaya (Cherki) P.S. Case No. 280 of 2019 registered for offence punishable under sections 272, 273 of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act, 2016.

The police has made recovery of 15 litres of illegal mahua liquor from the motor cycle of the petitioner no. 1 and 8 litres from the motor cycle of the petitioner no. 2, total 23 litres of illegal liquor has been recovered. The petitioners have no criminal history.



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 Special Judge (Excise), Gaya in connection with Bodh Gaya (Cherki) P.S. Case No. 280 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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