

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80722 of 2018

Arising Out of PS. Case No.-101 Year-2018 Thana- DHANKUND District- Banka

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1. Manish Kumar son of Damodar Prasad, resident of Village- Kotwali, P.S.- Rajoun, District- Bank.
 2. Nitish Rai, Son of Late Maheswari Rai, resident of village- Aarsada, P.S.- Dhankund, District-Bank.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Dhankaud P.S. Case No. 101 of 2018 registered for the offence punishable under Sections 420, 467, 468 and 471 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 125.64 litres foreign liquor from a vehicle which was occupied by two persons, however, on seeing the police, they tried to flee away but they were apprehended by the police.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case as they have no concern with the Maurit car or the seized illicit liquor. Petitioners have no criminal antecedent and they are in custody



since 16.10.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Dhankaud P.S. Case No. 101 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

Sanjay/-

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