

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78324 of 2018

Arising Out of PS. Case No.-556 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Alamgir Ansari, Son of Md. Rafique Ansari, resident of Village- Nocha, P.S.- Bela, District- Sitamarhi.
 2. Madan Paswan, Son of Rasique Paswan, resident of Village- Gorhari, P.S.- Bela, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Sri Kalyan Shankar (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in connection with C2/556 of 2018 registered for the offences punishable under Sections 30(A) of Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 46.5 liters of Nepali Saufi wine from the possession of the petitioners while informant was on patrolling duty.

It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. They have been falsely implicated in this case. No any incriminating



articles was recovered from the conscious possession of the petitioners. Petitioners have no criminal antecedent and are in custody since 17.10.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-II-cum-special Judge, Excise Act, Sitamarhi, in connection with C2/556 of 2018, subject to 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 and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, their bail bond shall be cancelled by the court below.
- (3) If the petitioners tampers 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.

(S. Kumar, J)

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