IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79081 of 2018

Arising Out of PS. Case No.-630 Year-2018 Thana- GOVERNMENT OFFICIAL COMP. District- East Champaran

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1. Rajdeo Mahto, son of Sheetal Mahto,
2. Ruhal Hay @ Md. ROHUL Son of Maqbool Hassan,
3. KARI JADU @ KARI JADO son of Laxman Jadu @ Laxman Jado, All residents of village - Adhkapariya, P.S. - Ramgarhwa, Distt. - East Champaran.

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Excise Case No.630 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Informant is an officer of S.S.B., who in his written complaint has stated that he is deputed on Indo-Nepal border and three persons were coming from Nepal to India carrying some liquor on their head and they were stopped and on search 99 litres Nepali wine was seized from their possession which was carried in three sacks and thereafter they were handed over to the custom department.

It has been submitted on behalf of the petitioners that

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they have no criminal antecedent and have been arrested on the basis of suspicion only. Nothing was recovered from their conscious possession and they are in custody since 30.10.2018.

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 Special Judge Excise, East Champaran, Motihari, in connection with Excise Case No.630 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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