

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59785 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- BABUBARHI District- Madhubani

1. Md. Ashraf @ Md. Asraf, S/O Md. Manjur
2. Md. Mushai Rain @ Md. Musai Rain, S/o Md. Subhani Rain @ Md. Subhani
Both are Resident of Village- Thadi, Ward No. 4, P.S.- Andhra Thadi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Renuka Ratnakar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 20-09-2019 Heard learned counsel for the petitioners and State.

The petitioners are in custody in connection with Babubarhi P.S. Case No. 166 of 2019 for the offence under Sections 272, 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and they are in custody since 11.08.2019. He further submits that in the instant case total 311.7 litres of country made liquor was seized.

Considering the fact that the petitioners have got no criminal antecedent, the petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.50,000/-



(Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Babubarhi P.S. Case No. 166 of 2019 subject to the condition that **each** petitioner shall deposit Rs.50,000/- (Fifty thousand) cash in the court below and the same shall be abide by the final outcome in the trial i.e. if the petitioners are acquitted the amount of Rs.50,000/- shall be refunded in favour of the petitioners, otherwise it shall be forfeited.

(Anil Kumar Upadhyay, J)

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