

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78123 of 2018

Arising Out of PS. Case No.-680 Year-2018 Thana- BARACHATTI District- Gaya

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1. Arun Kumar S/o Saryu Yadav,
 2. Satendra Kumar @ Satyendra Kumar S/o Rajdev Yadav, Both are R/o Vill.-
Somiya , P.S.- Barachatti and District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No-2, Adv.

For the Opposite Party/s : Mr.Sri Ramesh Chandra (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for petitioner sand learned
counsel for the State.

Petitioners, who are in custody, seek bail in
connection with Barachatti (Mohanpur) P.S. Case No. 680 of
2018 registered for the offences punishable under Sections
30(a), 30(b) of the Bihar Prohibition and Excise Act, 2016.

Allegation is recovery of 100 Kgs, mahua flower
from the petitioner no.1 and 50 Kgs of mahua flower from the
petitioner no. 2 which is alleged to be used for preparation of
country made wine.

It has been submitted on behalf of the petitioners
that they are innocent and have committed no offence.
Petitioners have been falsely implicated in this case. Nothing



incriminating article has been recovered from conscious possession of these petitioners. Petitioners have no criminal and are in custody since 16.10.2018.

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 Special Judge, Excise, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 680 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 represented on each and every date fixed by the court.
- (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.
- (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)

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