

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77726 of 2018

Arising Out of PS. Case No.-118 Year-2018 Thana- BANGAWON District- Saharsa

1. Manishankar Singh Son of Sri Dharmendra Singh Resident of Village-Balhi Teghra P.S. Simribakhtiyarpur & Distt.-Saharsa
2. Monu Alam Son of Makboll Alam @ Baqhboob Alam Khan Resident of Village-Bairo P.S. Nauhatta, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Umeshnand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Bangaon P.S. Case No.118 of 2018 registered for the offence punishable under Sections 30(a), 38(1) and 41(1) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 1400 litres foreign liquor from the house of one Chandan Chaudhary.

It has been submitted that petitioners were not apprehended on the spot and their names have surfaced in this case on the confession made by one of the apprehended accused. Petitioners have no criminal antecedent 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 Act -cum-Additional Sessions Judge II at Saharsa in connection with Bangaon P.S. Case No.118 of 2018 corresponding to Special (Excise) Case No.566 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)

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