

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77707 of 2018

Arising Out of PS. Case No.-365 Year-2018 Thana- MALSALAMI District- Patna

-
1. Radhe Kumar Son of Krishna Rai Resident of Village-Kauwa Kol,P.S. Chowk,distt.-Patna
 2. Sonu Kumar Son of Ram Pravesh Rai Resident of Village-Sukumarpur,P.S. Raghapur,Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Sri Nand Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 08-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Malsalami P.S. Case No.365 of 2018 arising out of Special Case No.10092 of 2018 registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 82 litres country-made liquor from the bag which was thrown by the accused after seeing the police and, thereafter fled away.

It has been submitted on behalf of the petitioners that petitioners have falsely been implicated in this case. Petitioner No.1 is accused in one case but not under Excise Act and petitioner No.2 has clean antecedent and they are in custody since 22.10.2018.



Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Malsalami P.S. Case No.365 of 2018 arising out of Special Case No.10092 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 is found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bond.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

