

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69681 of 2019

Arising Out of PS. Case No.-144 Year-2019 Thana- MOKAMAH District- Patna

1. Bhago Paswan S/o Ramawatar Paswan R/o village- Kanhaipur, P.S.- Mokama, District- Patna
2. Subhash Paswan S/o Dharamdeo Paswan R/o village- Kanhaipur, P.S.- Mokama, District- Patna
3. Satyanand Paswan S/o Mathura Paswan @ Mathyra Paswan R/o village- Kanhaipur, P.S.- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 2, Advocate
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-11-2019 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in **Mokama P.S. Case No. 144 of 2019 (Special Case No. 6013 of 2019)**, registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

On secret information, raid was conducted. During raid, twelve litres of country made liquor was recovered from a house and one person was arrested, who disclosed his name, as Subhash Kumar. During course of investigation, Subhash Kumar disclosed the name of these petitioners as the persons



who are indulged in trading of illicit liquor.

It is submitted by learned counsel appearing on behalf of petitioners that petitioners have falsely been implicated in this case. Save and except disclosure made by the co-accused Subhash Kumar, there is nothing against these petitioners. Nothing has been recovered from possession of these petitioners. Petitioners have got clean antecedent.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned **Special Judge Excise, Patna** in connection with **Mokama P.S. Case No. 144 of 2019 (Special Case No. 6013 of 2019)**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates



without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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