

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75729 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- LADANIA District- Madhubani

1. Upendra Kamat Son of Luchai Kamat Resident of Village-Donwari, P.S.-Ladaniya, District-Madhubani.
2. Arun Kumar Kamat Son of Ram Bhagat Kamat Resident of Village-Donwari, P.S.-Ladaniya, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in **Ladaniya P.S. Case No. 168 of 2019**, registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

25 litres 800 m.l. Nepali liquour is said to have been recovered from possession of these petitioners.

It is submitted by learned counsel appearing on behalf of petitioners that petitioner have falsely been implicated in this case. Nothing has been recovered from possession of these petitioners. There is no compliance of provision of section 100



Cr.P.C. Petitioners are in custody since 21.09.2019 having clean antecedent.

Having considered the fact that small quantity of liquor has been recovered and petitioners have got clean antecedent, the petitioners above-named, 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 **Additional District and Sessions Judge II-cum-Special Judge (Excise), Madhubani** in connection with **Ladaniya P.S. Case No. 168 of 2019**, subject to the following 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)

vinita/-

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

