

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75182 of 2019

Arising Out of PS. Case No.-348 Year-2019 Thana- ARWAL District- Jehanabad

1. Sudhanshu Kumar @ Monu, aged about 25 years, Male, Son of Awadhesh Singh Resident of Village-Ekwari, P.S.-Sahar, District-Bhojpur.
2. Lavkush @ Lavkush Kumar, aged about 19 years, Male, Son of Tumnath Sah Resident of Village-Ekwari, P.S.-Sahar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey

For the Opposite Party/s : Mr.Satyadeo Singh Yadav

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

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

In this case, the petitioners are seeking bail in connection with Excise Case No. 1150 of 2019 (Arwal P.S. Case No. 348 of 2019) registered for offences under section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, the police has recovered 9 liter and 16.875 liter of illegal English wine from the possession of petitioner no.1 and petitioner no.2 respectively.

The petitioners are in judicial custody since 17.10.2019.

Looking to the period of custody of the petitioners as



also the quantity of liquor recovered, let the petitioners, above named, be released 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 learned Additional Sessions Judge-II, Jehanabad in connection with Excise Case No. 1150 of 2019 (Arwal P.S. Case No. 348 of 2019) subject to the condition that (i) one of the bailors shall be a close relative of the petitioners (ii) if the petitioners are found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of their bail and the court below will pass necessary order, including cancellation of bail and (iii) the petitioners will cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and (iv) the petitioners will report to the Arwal police station by 7th of every month for at least six months and in case of failure without any valid rhyme or reason, the bail of the petitioners will be treated to have been canceled.

(Shivaji Pandey, J)

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