

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75068 of 2019

Arising Out of PS. Case No.-83 Year-2019 Thana- DIGHALBANK District- Kishanganj

1. ABDUL KAHAR S/o Samad Ali R/o village- Bherbheri, P.S.- Dighalbank, District- Kishanganj.
2. Abdul Barik @ Abdul Hai S/o Maulvi Yunus R/o village- Bherbheri, P.S.- Dighalbank, District- Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha
For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

Petitioners, who is in custody, seeks bail in connection with Special Case No. 363 of 2019 arising out of Dighalbank P.S. Case No. 83 of 2019 registered for the offence punishable under Sections 414/34 of the Indian Penal Code and 30(a) of Bihar Prohibition and Excise Act.

Informant who is the police officer in his self statement has stated that on 02.10.2019 while he was on patrolling, two miscreants riding on a motorcycle tried to flee away when they were asked to stop and from their possession two sacks were recovered which contained 36 litres of illicit



Nepali liquor.

It has been submitted on behalf of petitioners that they have been falsely implicated in this case. Nothing was recovered from their conscious possession. Petitioners have no criminal antecedent and are in custody since 03.10.2019.

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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned court below, in connection with Special Case No. 363 of 2019 arising out of Dighalbank P.S. Case No. 83 of 2019 subject to the conditions that:-

(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 and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bonds.

(3) If the petitioners tampers 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.

(S. Kumar, J)

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