

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75341 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- FATEHPUR District- Kishanganj

1. MOHAN, Son of Late Domi Rishidev, Resident of Village - Hariharpur, Post and P.S. - Tedhagachh, District - Kishanganj.
2. Nathuni, Son of Late Sarwesh, Resident of Village - Hariharpur, Post and P.S. - Tedhagachh, District - Kishanganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for regular bail arises out of **Fatehpur P.S. Case No. 13 of 2019 (Special Case No. 308 of 2019)**, disclosing the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

The petitioners are in custody since 28.08.2019.

It is the case of the prosecution that from the possession of each of the petitioners, 20-20 litres of *Nepali* country made wine was recovered.

Learned counsel appearing on behalf of the petitioners has submitted that the petitioners have no criminal antecedent



and there is no chance of fleeing away from the course of investigation or trial, if they are allowed privilege of bail. He submits that the petitioners present themselves before the court below, or before the Police, as and when required.

Considering the above submission, this application is allowed. Let the petitioners, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Additional District and Sessions Judge-2nd cum-Special Judge (Excise), Kishanganj**, in connection with **Fatehpur P.S. Case No. 13 of 2019 (Special Case No. 308 of 2019)**, subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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