

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78644 of 2019

Arising Out of PS. Case No.-360 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. RAJENDRA NONIA @ RAJENDRA NONIYA Son of Ram Ji Noniya Resident of Village - Bhabua Ward No. 20, Noniyan Tola (Purana Thana), P.S.- Bhabua, District- Kaimur at Bhabua
2. Rakesh Kumar Singh Son of Dular Singh Resident of Village - Gawain Bhabua Ward No. 20, P.S.- Bhabua, District- Kaimur at Bhabua

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Garg
For the Opposite Party/s : Mr.Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-12-2019 Heard learned Counsel for the petitioners and the learned APP for the State.

Petitioners who are in custody seeks bail in Chainpur PS Case No. 360 of 2019 registered under Sections 414 of the IPC and Section 30(a) of Bihar Prohibition and Excise (Amendment) Act.

On alleged recovery of 27.540 liters of prohibited liquor the petitioners have been in custody since 5.10.2019. It is submitted that they have been falsely implicated in this case and that the recovery is not in accordance with law.

Learned APP for the State opposes the prayer.

It is also pointed out by petitioners' Counsel that in Chand PS Case No. 157 of 2018 they are already on bail. Subsequent upon their arrest in the instant case they have been remanded in Bhabua PS Case No. 735 of 2019 on the basis of



confessional statement of co-accused.

Considering the aforesaid submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 3rd -cum-Special Judge Excise, Kaimur at Bhabua in Chainpur PS Case No. 360 of 2019 subject to the following conditions:-

(I) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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