

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76860 of 2018

Arising Out of PS. Case No.-182 Year-2018 Thana- DUMARIAGHAT District- East
Champaran

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1. Bittu Singh, Son of Rajanitik Prasad Singh, Resident of Village- Gehuni, P.S.- Bhagwanpur, District- Begusaray.
 2. Shishir Kumar, Son of Kritnarayan Singh, Resident of Village- Harakh, P.S.- Nagar, District- Begusaray.
 3. Dipak Kumar, Son of Nandkishor Singh, Resident of Village- Vikrampur, P.S.- Cheria Bariyarpur, District- Begusaray.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 10-01-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are in custody since 24.10.2018 in connection with Dumariyaghat P.S. Case No.182 of 2018 registered under Sections 272, 273, 34 of the Indian Penal Code and 30(a) of the Bihar Prohibition & Excise Act.

Learned counsel for the petitioners submits that while petitioner no.1 Bittu Singh is the driver of the vehicle from which the alleged recoveries were made, the other two were travelling on the vehicle from where 297.27 litres of foreign



liquor was recovered. Learned counsel for the petitioners submits that the petitioners have no criminal antecedent and may be treated as first offenders. It is further submitted that the fathers of the petitioners are ready to stand sureties to their bail, if this Court is pleased to grant the same.

Considering the aforementioned facts and circumstances, 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 Special Judge, Excise, East Champaran, Motihari in connection with Dumariyaghat P.S. Case No.182 of 2018, subject to the following conditions :

- (1) One of the bailors will be their father.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.
- (4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself



available as and when so required and in case of failure, the
State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

Nasimul/P.N.M.

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