

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78875 of 2019

Arising Out of PS. Case No.-674 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. Lakshami Sah, aged about 27 years, Male, S/O Nandu Sah Resident of Village - Khairwa, P.S.- Majorganj, District - Sitamarhi.
 2. Kali Tiwari @ Dhirendra Tiwari @ Dhirendra Kumar @ Dharmendra Kumar @ Dharmendra Kumar, aged about 25 years, Male, S/O Jagnath Tiwari Resident of Village - Khairwa, P.S.- Majorganj, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Kanhaiya Kishore(100)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are seeking bail in connection with Case No. C2/674/19 registered for offences under sections 30(A) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, the police has recovered 26.400 liters of Nepali Saufi wine.

The petitioners are in judicial custody since 31.10.2019.

Looking to the quantity of liquor recovered as also the period of custody, 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 District Judge IInd cum Special Judge, Excise Act, Sitamarhi in connection with Case No. C2/674/19, 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 would 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.

(Shivaji Pandey, J)

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