

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78606 of 2018

Arising Out of PS. Case No.-117 Year-2018 Thana- BASANHI District- Saharsa

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1. Girdhar Jha son of Late Jagarnath Jha
 2. Krishna Kinkar Jha son of Manoj Jha Both Residents of Village- Nanauti, Police Station- Basnahi, District- Saharsa.
 3. Rabindra Yadav son of Late Yadunandan Yadav, Resident of Village- Atalkha Pachhavari Tola, Police Station- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha
For the Opposite Party/s : Smt. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 04-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Special (Excise) Case No.605 of 2018 arising out of Basnahi P.S. Case No. 117 of 2018 registered for the offence punishable under Sections 30(a) and 37(c) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 4.2 litres country-made Mahua liquor from the possession of the petitioner No. 3 and allegation against petitioner Nos. 1 and 2 are that they were found in intoxicated condition. Petitioners have no criminal antecedent and they are in custody since 10.11.2018.

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/- each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge, Excise Act, Saharsa in connection with Special (Excise) Case No.605 of 2018 arising out of Basnahi P.S. Case No. 117 of 2018, with following conditions:-

(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.

(3) If the petitioners tamper 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.

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds.

(S. Kumar, J)

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