

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80344 of 2019

Arising Out of PS. Case No.-149 Year-2019 Thana- THawe District- Gopalganj

1. NAUSHAD ALI Son of Hanif Mian @ Mohammad Hanif Miyha Resident of Village - Lakdi Dargah, P.S.- Barharia, Distt.- Siwan.
2. Nandjee Yadav @ Nandji Yadav Son of Bhukhal Yadav Resident of Village - Harkhauli, Purab Tola, P.S.- Mirganj, Distt.- Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking regular bail in connection with Thawe P.S. Case No. 149 of 2019 registered under Sections 414 and 34 of the Indian Penal Code. And section 30(a) of Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners were arrested with 216 liters of illicit liquor from Scorpio vehicle which does not belong to the petitioners, however petitioners are in custody since 27.08.2019 having no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that the Scorpio in which the petitioners were present and from which 216 liters of illicit liquor have been recovered



does not belong to the petitioners and that they have remained in custody since 27.08.2019 having no criminal antecedent, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – IInd – cum – Special Judge, Excise, Gopalganj, in connection with Thawe P.S. Case No. 149 of 2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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