

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82597 of 2019

Arising Out of PS. Case No.-674 Year-2019 Thana- GARDANIBAG District- Patna

1. MD. CHAND S/o Md. Ishak R/o village- Khajpura, P.S.- Phulwari Sarif, District- Patna
2. Md. Siraj S/o Late Mahauddin R/o village- Khajpura, P.S.- Phulwari Sarif, District- Patna

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Binay Kumar Singh, Advocate

For the Opposite Party : Mrs.Asha Devi, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners are accused in a case registered for the offence punishable under sections 279, 337, 338/34 of the Indian Penal Code and sections 37b and 37c of the Bihar Prohibition and Excise Act, 2016.

It is alleged that petitioner no.1, in a drunken condition, was driving Auto and at the same time he hit CISF personnel and other people on the road. Petitioner no.2 was sitting in the said Auto and he was also drunk at that time.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and the alleged incident is false one. Petitioners are in custody since 8.11.2019, though nothing incriminating has been recovered from their conscious possession.

In view of the facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, 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 the Special Judge, Excise, Patna in Special case no. 9879 of 2019, Gardanibagh Police Station Case No. 674 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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