

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78511 of 2018

Arising Out of PS. Case No.-406 Year-2018 Thana- MAJORGANJ District- Sitamarhi

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1. Devendra Kumar Sah, S/o Late Rameshwar Sah, Resident of Village- Panchhor Ward No. 8, P.S. Riga, District Sitamarhi
 2. Deepak Kumar, S/o Umesh Thakur, Resident of Village Govind Fandh, P.S. Sitamarhi, District Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

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

Petitioners seek bail in Mejorganj P.S. Case No.406 of 2018 registered for the offence punishable under Sections 272, 273/34 of the I.P.C. and Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 46.8 litres Nepali Saufi wine from the possession of the petitioners.

It has been submitted on behalf of the petitioners that they have falsely been implicated in this case as no Nepali Saufi Wine was recovered from their possession. Charge-sheet has already been submitted in this case. Petitioners have no criminal antecedent and they are in custody since 14.10.2018.

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 A.D.J. II-cum- Special Judge, Excise Act, Sitamarhi in connection with Mejorganj P.S. Case No. 406 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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