

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.116 of 2020

Arising Out of PS. Case No.-137 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Banka

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1. Ravi Kumar Son of Surender Prasad Yadav Resident of Village-Sahebpur Kamal, P.S.-Sahebpur Kamal, District-Begusarai.
 2. Rajesh Mandal Son of Banarsi Mandal Resident of Village-Karu Mandal Tola, P.S.-Muffasil, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh
For the Opposite Party/s : Mr. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-01-2020 Heard the learned counsel for the petitioners and the
learned APP for the State.

The petitioners seek regular bail in connection with
Excise Complaint Case No.137 of 2019 instituted for the
offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act, 2018.

According to FIR, foreign liquor was recovered from
the *Maruti* car wherein petitioners were also there. Petitioners
have got two identical criminal cases. Petitioners are in custody
since 22.11.2019.

Considering the nature of allegation and criminal
antecedent of the petitioners, in my view, petitioners should be



released on bail only after framing of the charge. Hence, the trial court is directed to frame the charge at the earliest.

After framing of the charges, let the petitioners be released on regular 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 2nd Additional Sessions Judge, Banka in connection with Excise Case No.137 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners and also that the petitioners shall not leave the country without permission of the Court below.

(Birendra Kumar, J)

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