

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.495 of 2020

Arising Out of PS. Case No.-229 Year-2019 Thana- PHULWARIYA District- Gopalganj

1. JAWALA PRAKASH @ JAWALA PRASAD Son of Lal Babu Gupta Resident of Village - Arya Nagar, Karim Chauk, P.O. - Sahebganj, P.S.- Chhapra Mofasil, Distt - Chapra, Saran.
2. Mohammed Sabir Khan Son of Mohammed Rizwan Khan Resident of Village - Dahiyawan, Mohamud Chauk, P.S.- Chhapra Muffasil, Distt - Chhapra, Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad, Adv
For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

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

Petitioners seek bail in a case registered for the offences punishable under Sections 30(a),32(2),41(i) of the Bihar Prohibition and Excise Act, 2018.

168.480 liters of liquor was recovered from possession of the petitioners. Though petitioner No.1 has got criminal antecedent, however none of the petitioners has got any antecedent of commission of offence under the Excise Act.

Considering the quantum of recovery and punishment prescribed for the same, in my view, the petitioners should be released on bail **only after framing of the charges so that the**



trial may not hamper on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Phulwarya or Phulwaria P.S.Case No.229 of 2019, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below as well as petitioners shall not leave the country without permission of the Court and further the petitioners shall fully cooperate with the investigation of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

The learned Trial Court is directed to expedite the framing of the charge thereafter release the petitioners.

(Birendra Kumar, J)

Nitesh/-

U		T	
---	--	---	--

