

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1762 of 2020

Arising Out of PS. Case No.-436 Year-2019 Thana- KORHA District- Katihar

1. SABITA DEVI Wife of Prakash Rishi @ Prakash Sada R/O- Dak Bari, Medical College, P.S.- Sahayak, Distt.- Katihar
2. Dashrath Rishi @ Dasrath Rishin @ Dashrath Sada Son of Chandu Sada R/O- Kanwa Tola, P.S.- Sahayak, Distt.- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 14-01-2020 Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

Allegation is recovery of 25 litres of country made wine from the possession of petitioner no.1, Sabita Devi and 25 litres country made wine from possession of petitioner no.2. Dashrath Rishi while they were travelling on tempo.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. Nothing was recovered from their conscious possession. Petitioners have no criminal antecedent and they are in custody



since 28.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Korha P.S. Case No.436 of 2019, 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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