

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3766 of 2020

Arising Out of PS. Case No.-123 Year-2019 Thana- BALRAMPUR District- Katihar

1. SAKAL MAHTO, Son of Devan Mahto Resident of Village - Srinagar, P.S.- and Distt - Purnea.
2. Sharvan Kumar Son of Prakash Mahto Resident of Village - Kulla Khas, P.S.- Kashba, Distt - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-01-2020 Heard learned counsel for the parties.

Petitioners seeks bail in a case registered for the offence punishable under Section 30(a) read with Section 13 of the Bihar Prohibition & Excise Act.

Allegation is recovery of 26.820 litres of foreign liquor from the bag kept in the dickey of motorcycle which was being driven by petitioners.

It has been submitted on behalf of the petitioners that petitioners are innocent and nothing has been recovered from their conscious possession. Petitioners have no criminal antecedent and they are in custody since 10.12.2019.

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 Balrampur P.S. Case No.123/2019, under District, Katihar 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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