

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22015 of 2020

Arising Out of PS. Case No.-295 Year-2019 Thana- SAUR BAZAR District- Saharsa

1. Bilo Sada S/o Late Gyani Sada @ Gyani Saha, Resident of Village - Jamhra Battora, Ward No. 2, P.S. - Sour Bazar (Patarght O.P.), District- Saharsa.
2. Bittu Yadav @ Bittu Kumar Yadav S/o Narayan Yadav, Resident of Village - Manikpur, Ward No. 3, P.S. - Sour Bazar (Patarght O.P.), District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh

For the Opposite Party/s : Mr. Uday Chandra Prasad

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 17-08-2020 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through Video Conferencing.

In this case, the petitioners are seeking anticipatory bail in connection with Saur Bazar (Patarghat O.P.) P.S. Case No.295 of 2019 registered for offence punishable under section 30(a) of the Bihar Prohibition Excise Act, 2016.

The police has recovered 10 litres of liquor from a motor cycle.

The learned counsel for the petitioners submits that the said motor cycle does not belong to the petitioners, they have wrongly been roped in the present case and they have no criminal history.

Looking to the quantity of liquor and the petitioners



having no criminal antecedent, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge-cum-Special Judge (Excise), Saharsa in connection with Saur Bazar (Patarghat O.P.) P.S. Case No.295 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds.

This order has been passed in presence of Mr. Uday Chandra Prasad, learned counsel for the State.

(Shivaji Pandey, J)

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