

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80894 of 2019

Arising Out of PS. Case No.-218 Year-2019 Thana- LAUKAHI District- Madhubani

1. Lochan Kumar Yadav @ Lochan Yadav @ Lochan Kumar Son of Digambar Yadav Resident of Village - Kalikapur Ramnagar, P.S.- Ghoghardiha, Distt - Madhubani
2. Vidyanand Kumar @ Vidya Nand Yadav @ Vidyanand Yadav Son of Bechan Yadav Resident of Village - Inarwa, Ward No. 4, P.S.- Phulparas, Distt - Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13
For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners seek regular bail in connection with Laukahi P.S.Case No.218 of 2019 instituted for the offences punishable under Sections 272 and 273/34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

Petitioners are driver and passenger on the tempo from which 135 liters of liquor was allegedly recovered. Petitioners have stated on oath that they have got no criminal antecedent. Petitioners are in custody since 17.10.2019 Investigation of the case is already complete.



Considering the quantity of recovery of liquor and punishment prescribed under the law, in my view, the petitioners should be released on bail only after framing of the charge. Hence, the trial court is directed to expedite the framing of the charge.

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 Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Laukahi P.S.Case No.218 of 2019 corresponding to G.R.No.1972 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.

(Birendra Kumar, J)

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