

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85598 of 2019

Arising Out of PS. Case No.-985 Year-2019 Thana- BIHTA District- Patna

1. RAHUL KUMAR @ MANISH KUMAR S/o Binod Ray Resident of Village- Wajidpur, P.S.- Maner, Distt- Patna, at present residing at Mohalla Ajmeri Nagar, P.S.- Bihta, Distt- Patna.
2. Nitish Kumar S/o Ramashish Rai @ Ramashish Singh Resident of Village- Ajmeri Nagar, P.S.- Bihta, Distt- Patna.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Satish Chandra, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-01-2020 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners in this case are seeking regular bail in connection with Bihta P.S. Case No. 985 of 2019 registered for the offence punishable under Section 30(a) of Bihar Prohibition & Excise Act, 2018.

Learned counsel for the petitioners submits that the petitioners are in custody since 27.10.2019 having no criminal antecedents for the alleged recovery of 25 liters of illicit liquor from a vehicle.

Learned APP for the State has opposed the prayer of regular bail of the petitioners.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioners that



there being recovery of illicit liquor of 25 liters, the petitioners have remained in custody since 27.10.2019 and that they have no criminal antecedent, let the petitioners above named be released on bail in connection with Bihta P.S. Case No. 985 of 2019 (Spl. Case No. 9562 of 2019) on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Patna, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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