

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86847 of 2019

Arising Out of PS. Case No.-260 Year-2019 Thana- RAJAPAKAR District- Vaishali

1. KRISHNA KUMAR KANHAIYA Son of Baldeo Rai Resident of Village - Biakunthpur, P.S.- Rajapakar, District- Vaishali
2. Binod Paswan Son of Surendra Paswan Resident of Village - Bakhari Supayan, P.S.- Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-01-2020 Heard learned Counsel for the petitioners and the learned APP for the State.

The petitioner seeks bail in Rajapakar (Baranti OP) PS Case No. 260 of 2019 registered under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

For alleged recovery of 40 Litres of illicit country made liquor from the possession of the petitioners while they were moving on motorcycle the petitioners are in custody since 4.11.2019.

Submission is of false implication and recovery is not in accordance with law. It is also stated that the petitioners have clean antecedent.

Considering the rival submissions, the prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of 2nd Additional Sessions Judge -cum- Special Judge, Excise Court, Vaishali at Hajipur. in Rajapakar (Baranti OP) PS Case No. 260 of 2019 on the



following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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