

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85915 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- MAJORGANJ District- Sitamarhi

1. BABALU KUMAR @ BABALU KUMAR YADAV S/o Ishwar Chandra Yadav Resident of Village- Bhagwanpur, P.S.- Parsauni, Distt- Sitamarhi.
2. Avinash Kumar Son of Sunil Kumar Yadav @ Sunil Kumar Resident of Village- Bhagwanpur, P.S.- Parsauni, Distt- Sitamarhi.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha
For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners in the present case are seeking regular bail in connection with Majorganj P.S. Case No. 195/2019 registered under Sections 30A of the Bihar Prohibition & Excise Act, 2016.

Learned counsel for the petitioners submits that there is no recovery of any illicit liquor either from the petitioners or from the motorcycle, petitioners have been made accused on mere suspicion. Learned counsel submits that petitioners have go no criminal antecedent and they are in custody since 16.11.2019.



Learned A.P.P. for the State has opposed the prayer for 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 is no recovery of illicit liquor from the Motorcycle or from the possession of these petitioners and these petitioners have been made accused on mere suspicion alleging that they were acting as liner and further submission that petitioners have got no criminal antecedent and they are in custody since 16.11.2019, on completion of statutory period of investigation, let the above-named petitioners be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional District Judge – II – cum – Special Judge, Excise Act, Sitamarhi, in connection with Majorganj P.S. Case No. 195/2019, 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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