

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31840 of 2021

Arising Out of PS. Case No.-13 Year-2020 Thana- SIWAIPATTI District- Muzaffarpur

1. ABDULA ANSARI @ ABDULA HASAN S/O MD AALAMGIR @ MD ALAM R/o village- Siwaipatti, P.S.- Siwaipatti, District- Muzaffarpur
2. NANDLAL MAHTO S/O LATE SUDAN MAHTO R/o village- Siwaipatti, P.S.- Siwaipatti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 272, 273, 420/34 of the Indian Penal Code and under Section 30 (a), 36 of the Bihar Prohibition & Excise Act.

As per the prosecution case, 89 liters of foreign liquor and 49 liters of country made liquor were recovered from the shops of the market of which petitioner No.1 is owner and petitioner No.2 is Manager.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioners. Petitioners claim clean antecedent and are in custody since 25.02.2021 and charge sheet has already been submitted in this case.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Siwaipatti PS case No. 13/2020 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

BKS/-

U		T	
---	--	---	--

