

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39501 of 2020

Arising Out of PS. Case No.-337 Year-2020 Thana- BISFI District- Madhubani

1. RAMBABU KUMAR SON OF SHANKAR RAI RESIDENT OF VILLAGE - PHHWARA LAKSHMI TOLA, P.S. - SAHARGHAT, DISTRICT - MADHUBANI
2. JAIRAM PANDEY SON OF RAVINDER PANDEY RESIDENT OF VILLAGE - PHHWARA LAKSHMI TOLA, P.S. - SAHARGHAT, DISTRICT - MADHUBANI

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 08-02-2021 Heard learned Counsel for the petitioners and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioners seek bail in Bisfi (Patouna) PS Case No. 337 of 2020 registered under Sections 272, 273, 414/34 of the IPC and Section 30(a) of Bihar Prohibition and Excise Act, 2016.

Since 28.9.2020 the petitioners are in custody for alleged recovery of 66 liters of country made liquor.

Learned Counsel for the petitioners submits that it is a case of false implication of alleged recovery; in contravention with the procedure prescribed under Section 100 Cr.P.C. The petitioners have no criminal antecedent.

Learned APP has opposed the prayer for bail.



Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioners is allowed.

Let the petitioners above named be released on bail on 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 Act, Madhubani in Bisfi (Patouna) PS Case No. 337 of 2020 subject to 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 and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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