

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.4186 of 2021

Arising Out of PS. Case No.-336 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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1. AHMAD RAJA SON OF ABDUL KADIR R/o village- Mehsaul Chowk Gote, P.S.- Mehsaul, District- Sitamarhi
 2. Md. Gulab S/o Md. Abdul Sheikh R/o village- Lalbandi, P.S.- Sonbarsa, Distt.- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody since 05.09.2020 in connection with Case No. C2-336/20 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

As per the prosecution case, on 05.09.2020 at about 05:30 p.m., while the informant was on patrolling duty, four persons including these petitioners were apprehended and on search, 426 litres of Nepali Saufi wine has been recovered.

It is submitted on behalf of the petitioners that nothing has been recovered from the possession of the petitioners or from the house rather they have been falsely implicated in this case due to informant. Chargesheet has already been submitted



in this case. Petitioners have got no criminal antecedent and they are in custody since 05.09.2020.

Considering the fact that the investigation is complete, and also petitioners bear clean antecedent, the bail petition of the petitioners is allowed. Let the petitioners above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ II cum Special Judge, Excise Act, Sitamarhi, in connection with Case No. C2-336/20, subject to 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 on his absence on two consecutive dates without sufficient reason, their bail-bonds shall be cancelled by the Court below.

(2) If the petitioners tempers 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)

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