

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5798 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- HATHUA District- Gopalganj

1. Kamlesh Choudhary @ Kamelesh Chawdhari, Son of Fulena Chaudhary, Resident of Village- Atwa Durg, P.S.- Hathua, District- Gopalganj.
2. Dashrath Yadav, Son of Ramdhani Yadav @ Ramdhani Chaudhary, Resident of Village- Sahpur, P.S.- Nawtan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP.

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-04-2021

Heard learned counsel for the parties.

Petitioners seek bail in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

Allegation is recovery of 44 liter 800 M.L. country made liquor from the possession of the petitioners.

It has been submitted on behalf of the petitioners that petitioners are innocent and have falsely been implicated in this case. Nothing was recovered from possession of the petitioners. Petitioners have no criminal antecedent and they are in custody since 06.10.2020.

Considering the aforesaid facts and circumstances of



the case, let the petitioners named above be released on bail upon furnishing bail bond of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Hathua P.S.

Case No.89 of 2020 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

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

(4) If the petitioners are found involved in similar nature of offences, after their release on bail the trial court shall take steps to cancel their bail bonds

(S. Kumar, J)

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