

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5685 of 2021

Arising Out of PS. Case No.-108 Year-2020 Thana- DEODHA District- Madhubani

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1. Chandraveer Kumar Yadav, Son of Shiv Yadav @ Shiv Kumar Yadav
 2. Shiv Nandan Mukhiya, Son of Jairam Mukhiya
Both Resident of Village-Akaunha, P.S-Dewdha, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, Advocate

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-04-2021 Heard learned counsel for petitioners and learned
counsel for the State.

Petitioners, who are in custody, seek bail in a case registered for the offences punishable under Sections 272, 273, 414/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition & Excise Act.

Informant who is police officer has alleged that on 25.11.2020 at about 16:10 hours while he was on patrolling duty, he saw two persons coming on a motorcycle and seeing the police party, threw some articles and both started fleeing away, On chase both (petitioners) were apprehended and 36 liters Soufi Nepali liquor was recovered from a sack which was thrown by them.



It has been submitted on behalf of the petitioners that they are innocent and have committed no offence. Petitioners have been falsely implicated in this case. Nothing was recovered from their conscious possession. They have no criminal antecedent and are in custody since 26.11.2020.

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/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise Act, Madhubani in connection with Deodha P.S. Case No. 108 of 2020 correspondent to G.R. No. 1550 of 2020 subject to 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 represented on each and every date fixed by the court.
- (3) If the petitioners tampers 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 is 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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