

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13952 of 2022

Arising Out of PS. Case No.-114 Year-2021 Thana- MADHWAPUR District- Madhubani

1. BHARAT SAH Son of Yugeshwar Sah Resident of Village- Tulsihahi, P.S.- Phulgama, District- Dhanusha (Nepal).
2. Sharwan Sah Son of Ramdhyan Sah Resident of Village- Tulsihahi, P.S.- Phulgama, District- Dhanusha (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 15-06-2022 Heard learned counsel appearing on behalf of the
petitioners and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with
Madhwapur P.S. Case No. 114 of 2021, for the offence
punishable under Sections 272, 273 and 414/34 of the Indian
Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act.

As per allegation made in the F.I.R. altogether 18
litres of Nepali country made liquor and 2.160 litres of Nepali
foreign liquor recovered from the motorcycle bearing
registration No. BR-32J-0394. The petitioner was apprehended



on the spot.

Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have falsely been implicated in the present case. The petitioners are in custody since 17.09.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, the petitioners, above named, are directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Madhubani in connection with Madhwapur P.S. Case No. 114 of 2021, subject to the following conditions:-

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

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

(3) If the petitioner 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 petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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