

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.21101 of 2021**

Arising Out of PS. Case No.-13 Year-2021 Thana- MANJHI District- Saran

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1. SANJEEV KUMAR RAJ Son of Kapal Mahto Resident of Village - Madhesra, P.S.- Sonbarsha, Distt.- Sitamarhi.
 2. RAVI ANEJA Son of Prem Chandra Aneja Resident of Village - Sonipat Janta Colony, P.S.- Sonipat Janta Colony, (Siwarline), Distt.- Sonipat (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-08-2021 Learned counsel for the petitioners undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Petitioners in the present case are seeking regular bail in connection with Manjhi P.S. Case No.13/2021 registered for the offences punishable under Sections 414, 467, 468, 471 and 420 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution story, on 12.01.2021 at about 10.00 am the informant along with other police personnel was

on patrolling duty and during course of checking of vehicle one car was seen coming from the side of Uttar Pradesh. It is alleged that on seeing the police party two persons started to flee away from the car but on chase both of them were apprehended at the spot and disclosed their names as Sanjeev Kumar Raj and Ravi Aneja (petitioners). It is further alleged that on search the police recovered 111.28 liters of illicit liquor from the said car.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case merely on suspicion. Learned counsel submits that no incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that the petitioners are in custody in connection with this case since 13.01.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioners.

Having regard to the facts and circumstances of the case wherein 111.28 liters of illicit liquor have been recovered from the possession of the petitioners, they are in custody in connection with this case since 13.01.2021, they have no criminal antecedent, investigation against them is complete, but the trial is not likely to take place in near future, this Court

directs that the petitioners above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Manjhi P.S. Case No.13/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.