

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29877 of 2021

Arising Out of PS. Case No.-48 Year-2021 Thana- PUNPUN District- Patna

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1. Neeraj Kumar, Male, aged about 25 years, S/o Vijaylal, Resident of Village and Post Bhathar, P.S. Tharthari, District - Patna.
 2. Suranjeet Kumar, Male, aged about 20 years, S/o Girish Paswan, Resident of Village - Sukhathia, P.S. - Masaurhi, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-08-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

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

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this



case. He submits that there is no recovery from the conscious possession of the petitioners rather 85 liters of foreign liquor is said to have been recovered from the Santro Car. It is submitted that petitioner no.1 was driver and petitioner no.2 was sitting in the car. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 21.02.2021.

Petitioners are agreed to deposit a sum of Rs.5,000/- (rupees five thousand) each in the PM Cares Fund, bearing Account No. 2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

In the facts and circumstances of the case, let petitioners, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned court below/successor court where the case is pending in connection with Special Case No.1256 of 2021, arising out of Punpun P.S. Case No.48 of 2021, subject to the conditions:

(1) One of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.



(2) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of their bail bonds.

The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/- (rupees five thousand) each in PM Cares Fund.

(Anjani Kumar Sharan, J)

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