

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30305 of 2021

Arising Out of PS. Case No.-48 Year-2020 Thana- SALIMPUR District- Patna

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1. PAPPU SINGH @ SUJIT KUMAR S/o Shiv Narayan Rai
 2. Raju Singh @ Raju Kumar @ Rohan Singh Son of Siya Ram Singh
 3. Rajiv Singh @ Rajiv Kumar Singh S/o Surendra Singh
 4. Kunni Singh @ Rohit Singh S/o Nand Kishore Singh
 5. Banti Singh @ Barun Kumar S/o Prem Singh
 6. Mantu Kumar @ Manil Singh S/o Ram Nandan Singh all Resident of Village- Rukunpura, P.S.- Salimpur, P.O.- Khushrupur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanchay Srivastava, Adv.
For the Opposite Party/s : Mr. Mritunjay Kr. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2021 Learned counsel for the petitioners is permitted to correct the address of the petitioner no. 1.

Heard learned counsel for the petitioners and learned APP for the State.

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

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148,



149, 323, 504, 353, 427, 224, 225 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

The prosecution case is that when the police personnel were conducting a raid and recovered liquor, the accused persons, forming unlawful assembly, attacked on police vehicle and freed one co-accused.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 120 pieces of 300ml country made liquor and two bottles of 750ml foreign liquor are said to have been recovered from the house of the co-accused. He submits that similarly situated co-accused has been granted bail by co-ordinate Bench of this Court in Cr. Misc. No. 21687 of 2020 on 14.08.2020. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) each in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstances of the case,



the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond 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 where the case is pending/successor court in connection with Salimpur P.S. Case No. 48 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further conditions:

(I) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners is implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of the aforesaid



amount in the Patna High Court Legal Services Committee,
Patna.

(Anjani Kumar Sharan, J)

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