

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31379 of 2021

Arising Out of PS. Case No.-97 Year-2021 Thana- NARPATGANJ District- Araria

1. Pappu Kumar Yadav, aged about 24 years, Gender- Male, Son of Joganand Yadav, Resident of Village - Jimrahi, Ward no.2, P.S.- Narpatganj, Distt.- Araria.
2. Pintu Kumar Paswan, aged about 21 years, Gender- Male, Son of Hira Lal Paswan, Resident of Village - Jimrahi, Ward no.2, P.S.- Narpatganj, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-08-2021 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 petitioner rather 108 liters of Nepali liquor is said to have been recovered from the motorcycle of the petitioners. He further submits that petitioner no.1 has got no criminal antecedent and petitioner no.2 has got two criminal antecedents of similar nature as stated in para-3 of the bail application and the petitioners are languishing in judicial custody since 01.03.2021.

Petitioners are agreed to deposit a sum of Rs.8,000/- (rupees eight 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 Narpatganj P.S. Case No.97 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 bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs. 8,000/- (rupees eight thousand) each in PM Cares Fund.

(Anjani Kumar Sharan, J)

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