

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38334 of 2021

Arising Out of PS. Case No.-56 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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1. SUJEET KUMAR Son of Shivnath Rai Resident of Khajwatta, Sultanpur (Pachkadhiya), P.S.- Bidupur, District- Vaishali.
 2. Vicky Kumar Yadav Son of Nageshwar Rai Resident of Diwantok Ward No. 7, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-10-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceedings.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four 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 connection with C2A No.56/2021, CNR No.BRVA010010532021, registered for the offence punishable under Section 30(a)/ 32(i)(ii)/41(1) of the Bihar Prohibition and Excise Act, 2016.

Altogether 500 liters of country made liquor has been



recovered from a Bolero Pick up. Petitioners were apprehended on the spot.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No such occurrence has ever taken place. No incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. They have been falsely implicated in this case by the raiding team. The said vehicle does not belong to the petitioners. Petitioners have no criminal antecedent, as mentioned in para-3 of the bail application and has been languishing in custody since 24.02.2021.

Petitioners are agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) each in the Chief Minister's Relief Fund, Bihar, bearing Account No.2065104000002257, IFSC IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of case, let the above named petitioners, be released 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 learned Court below where the case is pending/successor Court,



in connection with C2A No.56/2021, CNR No.BRVA010010532021, with the following conditions:-

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

(2) The bailors shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his/her 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 deposit of Rs.10,000.00/- (Rupees Ten Thousand) each in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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