

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38844 of 2021

Arising Out of PS. Case No.-499 Year-2020 Thana- KUCHAIKOTE District- Gopalganj

1. Inglesh Kumar S/O Satyanarayan Rawat R/O Vill - Koini, Ps - Jhajhagarh, Distt. - Gopalganj, At Present, R/O Vill- Bala Barhai Tola, Ps - Basantpur, O.P. Lakri Nabiganj, Distt. - Siwan.
2. Rakesh Kumar S/O Khushi Rawat R/O Vill - Koini, Ps - Jhajhagarh, Distt. - Gopalganj, At Present, R/O Vill- Bala Barhai Tola, Ps - Basantpur, O.P. Lakri Nabiganj, Distt. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha
For the Opposite Party/s : Ms. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-09-2021 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 Kuchaikote P.S. Case No. 499 of 2020 registered for the offence punishable under Section 30 (a) of the Bihar Prohibition and Excise Act.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 17.280 liters of illegal wine is



said to have been recovered from the bag kept in the Motorcycle bearing registration No. BR 28 M 2726. Petitioners were apprehended on the spot. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case by the police. Petitioners have no criminal antecedent as has been mentioned in para-3 of the present petition and they are languishing in custody since 25.12.2020.

Petitioners are agreed to deposit a sum of Rs. 5000/- (Rupees Five Thousand) each in the Chief Minister's Relief Fund, Bihar bearing Account No.2065104000002257, IFSC Code: IFSC Code: 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 Kuchaikote P.S. Case No. 499 of 2020 subject to following conditions:

(1) One of the bailors will be own close relative of the petitioners who will give on affidavit genealogy as to how he is relative to petitioners. The bailor will also undertake to inform the court if there is any change in the address of the petitioners.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioners are made accused 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 the proceeding for cancellation of bail on ground of misuse.

The bail bond 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 the Chief Minister’s Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

GAURAV S./-

U		T	
---	--	---	--

