

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39571 of 2021

Arising Out of PS. Case No.-52 Year-2021 Thana- DAGARUA District- Purnia

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1. ARUN YADAV Son of Biren Yadav Resident of Village- Birencia, P.S.- Kothi, District- Purnea.
 2. Vikash Kumar Son of Ramanand Yadav @ Ramanuj Yadav Resident of Village- Birencia, P.S.- Kothi, District- Purnea.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

For the Opposite Party/s : Mrs. Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-09-2021 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, 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 a case registered for the offence punishable under Section 272 & 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

231.42 liters of foreign liquor is said to have been



recovered from a Safari vehicle.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. No incriminating article has been recovered from their conscious physical possession. Petitioners were sitting in the aforesaid vehicle and on the basis of suspicion, they have been dragged in this case. They have no concern either with the seized liquor or the vehicle in question or any trade of liquor. They have no criminal antecedent and have been languishing in custody since 20.02.2021.

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..

Considering the facts aforesaid, the above named petitioners are directed to 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 Dagarua P.S. Case No.52 of 2021, subject to 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 petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are 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 deposit of Rs.10,000.00 (Rupees Ten Thousand) **each** by the petitioners Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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