

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40217 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- MINAPUR District- Muzaffarpur

1. PRIYANSHU RAJ Son of Brajesh Singh Resident of Village- Fulbariya, P.S.- Paroo, Dist.- Muzaffarpur.
2. Sant Kumar Son of Bashishth Thakur Resident of Village-Rampurhari, Police Station- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-10-2021 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 seek bail in a case registered for the offence punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

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 402.100 liters of foreign liquor is said to have been recovered from the house of the petitioners and 11.200 litres of foreign liquor was recovered from the motorcycle. He submits that petitioners were not apprehended at the spot. He further submits that petitioners has no criminal antecedent as stated in para-3 of the bail application and they are languishing in judicial custody since 29.03.2021.

Petitioners are agreed to deposit a sum of Rs. 15,000.00 (Rupees Fifteen Thousand) each in the Chief Minister Relief Fund, Bihar, bearing Account No. 2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri Branch, Patna.

In the facts and circumstances of the case, let the petitioners, above named, 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 the learned court below/successor court where the case is pending in connection with Minapur P.S. Case No. 114 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. 15,000.00 (Rupees Fifteen Thousand) each in the Chief Minister Relief Fund Bihar.

(Anjani Kumar Sharan, J)

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