

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31412 of 2020

Arising Out of PS. Case No.-112 Year-2020 Thana- KUDHNI District- Muzaffarpur

1. Md. Mustafa @ Gulam Mustafa, Male, aged about 48 years
2. Md. Murtaza, Male, aged about 51 years, both are sons of Late Md. Sattar, both R/o Vill-Chakbikhi (Madhopur), P.S.-Maniyari, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Majid Mahboob Khan, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-01-2021 Learned counsel for the petitioners is permitted to remove the defect within four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kurhni P.S. Case No. 112 of 2020 registered for the offences punishable under Sections 272, 273, 188, 34 of the Indian Penal Code and Sections 30(A), 41(1) of the Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioners is that 3474.72 liters of foreign liquor has been recovered from the Truck.

Learned counsel for the petitioners submits that there is no recovery from the conscious possession of the petitioners



rather 3474.72 liters of country made liquor has been recovered from the Truck. Learned counsel for the petitioner further submits that the said Truck does not belong to the petitioners. Learned counsel for the petitioners further submits that the petitioners are innocent and have committed no offence. Learned counsel for the petitioners further submits that only on suspicion, the petitioners have falsely been implicated in the present case.

Learned A.P.P. for the State opposed the bail petition.

Petitioners are agreed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand) each in the PM Cares fund within two months, bearing Account No.2121PM20202, IFSC Code: SBIN0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, Excise Act, Muzaffarpur in connection with Kurhni (Kudhni) (Turki O.P.) P.S. Case No.112 of 2020, subject to the condition as laid



down under Section 438(2) of the Cr.P.C.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.50,000/- (Rupees Fifty Thousand) each in the PM Cares fund.

(Anjani Kumar Sharan, J)

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