

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8587 of 2021

Arising Out of PS. Case No.-335 Year-2020 Thana- KHUSRUPUR District- Patna

1. KAMLESH KUMAR Son of Devendra Singh Resident of Village - Safipur, P.S.- Khushrupur, Dist.- Patna.
2. Mithilesh Kumar Son of Ajay Singh Resident of Village - Safipur, P.S.- Khushrupur, Dist.- Patna.
3. Bhushan Singh @ Lal Mohan Kumar Son of Sulendra Singh Resident of Village - Safipur, P.S.- Khushrupur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-11-2021 Heard the parties.

Learned counsel for the petitioners is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case in connection with Khushrupur P.S. Case No.335/2020 (Spl Case No.(Excise) 6227/2020) registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

Altogether 36.600 liters of country made liquor and 5.700 liters of foreign liquor has been recovered on secret information



at Safipur behind of village school. It is alleged that these petitioners fled away from the spot and their name was disclosed by the local people.

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. Neither the petitioners have been apprehended on the spot nor any 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 and the allegations levelled against them in the FIR is palpably false. Petitioners have no criminal antecedent, as mentioned in para-3 of the anticipatory bail application.

Petitioners are agreed to deposit a sum of Rs. 5,000.00/- (Rupees Five 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 the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Khushrupur P.S. Case No.335/2020 (Spl Case No.(Excise) 6227/2020), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.5,000.00/- (Rupees Five Thousand) each in the Chief Minister's Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

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