

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7508 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- MUSAHARI District- Muzaffarpur

BHARAT KUMAR Son of Devendra Rai Resident of Village - Hasanpur
Gagari, P.s.- Goraul, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 7731 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- MUSAHARI District- Muzaffarpur

RAJAN KUMAR Son of Late Baidyanath Rai @ Late Vaidhnath Ray
Resident of Village- Manika Harikesh, P.S.- Musahari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 7829 of 2022

Arising Out of PS. Case No.-253 Year-2021 Thana- MUSAHARI District- Muzaffarpur

VIKASH KUMAR Son of Garibnath Rai Resident of Village - Manika
Harikesh Bhera Tola, P.s.- Musahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7508 of 2022)

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

(In CRIMINAL MISCELLANEOUS No. 7731 of 2022)

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

(In CRIMINAL MISCELLANEOUS No. 7829 of 2022)

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

2 13-06-2022 All three cases are being clubbed and heard together as they are arising out of same police station case being Musahari P.S. Case No. 253 of 2021.

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

The petitioners seek bail in a case registered for the offence under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

Recovery is of 782.280 and 876.600 liters of foreign liquor from the vehicle in question.

Learned counsel appearing for the petitioners submits that the petitioners, who are of clean antecedent, are innocent and have falsely been implicated in this case merely on the basis of suspicion. He further submits that according to the F.I.R and seizure list, the alleged recovery has been made from the Bolero vehicle bearing registration No. BR-06PB-0240, BR-04M-8606 and BR-06AV 5866 but nothing has been recovered from the conscious possession of the petitioners. The petitioners have no concern with the alleged recovery. He further submits that the police after investigation has submitted charge-sheet in this case against



the petitioners. The petitioners are rotting in judicial custody since 16.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the, above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Musahari P.S. Case No. 253 of 2021 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case



at any stage, it is found that the petitioner have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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