

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14932 of 2022**

Arising Out of PS. Case No.-244 Year-2021 Thana- TEGHRHA District- Begusarai

NISHAN KUMAR @ NISHANT KUMAR @ NIKKU Son of Dhananjay
Sharma @ Dhananjay Choudhary Resident of Village- Dadpur, Police
Station- Bhagwanpur (Teyay), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15277 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- TEGHRHA District- Begusarai

MANGAL KUMAR @ PRIYANSHU KUMAR SON OF ARVIND
KUNWAR VILL- PIDHAULI , POLICE STATION- TEGHRA, DIST.-
BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14932 of 2022)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bharat Bhushan

(In CRIMINAL MISCELLANEOUS No. 15277 of 2022)

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bishweshwar Ram

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 30-09-2022 Heard the parties.

Learned counsel for the petitioners undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.



Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 120B of IPC and 30(a), 41(1)(2) of the Bihar Prohibition and Excise Act, 2018.

Altogether 840.960 litres of foreign liquor is said to have been recovered from different vehicles. One Ranjiv Kumar Choudhary was apprehended from the spot and he disclosed the name of the petitioners.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the basis of the statement of apprehended persons. Petitioners have neither 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. Petitioner Nishan Kumar has four criminal antecedent in similar nature and petitioner Mangal Kumar has three criminal antecedent, as also mentioned in para-3 of the bail applications.

Petitioners are agreed to deposit a sum of Rs.50,000/- (Rupees Fifty Thousand) each in the Bihar State Legal Services Authority, Budh Marg, Patna bearing Account



No.0380000100252472, IFSC PUNB0038000, Punjab National Bank.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Teghra P.S. Case No.244 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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.50,000.00/- (Rupees Fifty Thousand) each in the Bihar State Legal Services Authority.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

