

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14704 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- BHAGWANPUR District- Begusarai

MANGAL KUMAR @ PRIYANSHU KUMAR SON OF ARVIND
KUNWAR RESIDENT OF VILLAGE- PIDHAULI, POLICE STATION-
TEGHRA, DISTRICT- BEGUSARAI

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15165 of 2022

Arising Out of PS. Case No.-162 Year-2021 Thana- BHAGWANPUR District- Begusarai

ANANT KUMAR S/O ARJUN KUMAR SINGH @ ARJUN RAI R/o
village- Gaura, Ward No. 04, P.S.- Teghra, District- Begusarai

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14704 of 2022)

For the petitioners/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Bishweshwar Ram

(In CRIMINAL MISCELLANEOUS No. 15165 of 2022)

For the petitioners/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2022 Heard the parties through virtual court proceedings.

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 apprehends their arrest in connection with a



case registered for the offence punishable u/s 120 (B) of the Indian Penal Code and 30(a), 40(1)(2) of the Bihar Prohibition and Excise Act, 2018.

Altogether 840.960 litres of foreign liquor is said to have been recovered from two vehicles. Allegation against the petitioners is that they are the member of a syndicate involved in the manufacturing of illicit liquor.

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 his enemies. His name transpired in this case on the basis of statement of apprehended person. 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 Mangal Kumar @ Priyanshu Kumar has three criminal antecedent of similar nature and petitioner Anant Kumar has five criminal antecedent from which three are of similar nature, as also mentioned in para-3 of bail application.

Petitioners are agreed to deposit a sum of Rs. 50,000.00/- (Rupees Fifty Thousand)each in the Patna High Court Legal



Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

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 Bhagwanpur (Teyay) P.S. Case No.162 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 petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioners 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 Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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