

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15269 of 2022

Arising Out of PS. Case No.-356 Year-2021 Thana- PATNA CITY CHOWK District- Patna

1. AMAN KUMAR Son of Dilip Ray Resident of - Kaimashikoh, Jhauganj, P.S.- Chowk, District - Patna.
2. Bablu Kumar @ Bablu Ray Son of Raj Narayan Ray Resident of - Kaimashikoh, Near Mazar, Patna City, Nagla, P.S.- Chowk, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeet Kumar

For the Opposite Party/s : Mr.Nand Kishore Prasad

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 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

Altogether 28 litres of country made liquor is said to have been recovered from a tempo. The allegation against the petitioners is that after seeing police, they fled away from spot.

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 disclosure of local people. 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. The said tempo does not belongs to the petitioners. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten 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 petitioner, named above, in the event of his 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 Patna City Chowk P.S. Case No.356 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.10,000.00/- (Rupees Ten Thousand) each in the Bihar State
Legal Services Authority.

(Anjani Kumar Sharan, J)

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