

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20375 of 2022

Arising Out of PS. Case No.-487 Year-2021 Thana- DEEPNAGAR District- Nalanda

1. Bachcha Kumar @ Rajeev Kumar S/O Arbind Yadav R/o village- Kabirpura, P.S.- Sheikhpura, District- Sheikhpura
2. Annu Kumar @ Bumbum Yadav S/O Lalit Yadav R/o village- Kalyanpur, P.S.- Bihar, District- Nalanda
3. Vimlesh Kumar S/O Dhuri Yadav R/o village- Kalyanpur, P.S.- Bihar, District- Nalanda
4. Sudhir Yadav @ Sudir Yadav @ Rama S/O Rudan Yadav R/o village- Kalyanpur, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act.

The police recovered 40 litres and 20 litres of country made liquor from two different places. The petitioners are said to have fled away from the place of occurrence after seeing the police. The *Chowkidar* has disclosed the names of the petitioners.



Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioners. It is submitted that petitioners no.1, 2 and 3 have got one criminal antecedent of similar nature whereas petitioner no.4 has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.10,000/- (rupees ten thousand) **each** in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on 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 learned Special Excise Court No.Ist, Nalanda at Biharsharif in connection with Deep Nagar P.S. Case No.487 of



2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioners, preferably, father, mother, brother, sister and/or their wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

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