

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26180 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- OBRA District- Aurangabad

RAJDEEP @ BABLU KUMAR S/O VISHWANATH PRASAD VERMA R/o
village- Sonhauili, P.S.- Obra, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 27712 of 2022

Arising Out of PS. Case No.-80 Year-2022 Thana- OBRA District- Aurangabad

SAURABH KUMAR Son of Kripal Singh @ Ramakripal Mehta Resident of
Village - Sonhauili, P.s.- Obra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 26180 of 2022)

For the Petitioner/s : Mrs.Rupa Kumari

For the Opposite Party/s : Mr.Khurshid Anwar

(In CRIMINAL MISCELLANEOUS No. 27712 of 2022)

For the Petitioner/s : Mrs.Rupa Kumari

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioners and learned APP
for the State 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
undertaken 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 Act, (Amended), 2018.

Altogether 2400 liters of spirit is said to have been recovered from a car parked on government land. The allegation against the petitioners is that they are indulged in supplying of spirit.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to ulterior motive. Their name transpired in the case on the basis of secret information. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioners have no concern either with the seized liquor or any trade of liquor. Petitioners have no concern with the alleged vehicle. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail applications.

Petitioners are agreed to deposit a sum of Rs.25,000.00/- (Rupees Twenty Five Thousand) each in the Juvenile Justice Fund, Bihar bearing Account No.35094613009, IFSC SBIN0000153, State Bank of India, Patna Secretariat Sinchai



Bhawan Branch, Patna.

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 Obra P.S. Case No.80 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions:

(1) 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 petitioner. He will also undertake to inform the Court if there is any change in the address of 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.25,000/- (Rupees Twenty Five Thousand) each in the
Juvenile Justice Fund.

(Anjani Kumar Sharan, J)

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