

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27252 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. GUDDU KUMAR Son of Mahendra Singh Resident of Village - Harichak Sanjat Ward No. 14, Police Station- Bhagwanpur, District - Begusarai.
 2. Mithlesh Kumar Son of Mahendra Singh Resident of Village - Harichak Sanjat Ward No. 14, Police Station- Bhagwanpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar
For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-11-2022 Heard learned counsel for the petitioners and learned
APP for the State.

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

1759.320 litres of foreign liquor has been recovered from a truck. The police has recovered Aadhar Cards of the petitioners and driving licence of petitioner no.2 from the said truck.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail



application. It is further submitted that there is no recovery from the conscious possession of the petitioners and the owner of the said truck has already been enlarged on anticipatory bail by this Court.

Petitioners are agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) each in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration 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 Exclusive Excise Court-I, Begusarai in connection with Cheriya Bariyarpur P.S. Case No.238 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 their own blood relative, 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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