

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27840 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- RAGHOPUR District- Vaishali

1. VISHUNDEV RAI SON OF RAJENDRA RAI R/O- PATHAR GHAT MARUGANJ, P.S.- MALSALAMI, DISTRICT- PATNA
2. KISHUNDEV RAI SON OF RAJENDRA RAI R/O- PATHAR GHAT MARUGANJ, P.S.- MALSALAMI, DISTRICT- PATNA
3. SURAJ RAI @ LAMBU SON OF VISHUNDEV RAI R/O- PATHAR GHAT MARUGANJ, P.S.- MALSALAMI, DISTRICT- PATNA

... .. Petitioners.

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bela Singh

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-08-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioners undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 & 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the



petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 35 liters of country made liquor is said to have been recovered from the Sukumarpur Diyara. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case at the instance of village Chaukidar. The place of recovery is open place and easily accessible to anyone. There is nothing on record indicating the complicity of the petitioners in the afoersaid occurrence. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) **each** in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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 Raghopur (Rustampur O.P.) P.S. Case No.55/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that

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

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

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 account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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