

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27897 of 2022

Arising Out of PS. Case No.-10 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

-
1. BINOD SINGH SON OF GAYA SINGH R/O VILLAGE- JAGDISHPUR,
P.S.- JAMO BAZAR, DISTRICT- SIWAN
 2. ASHOK SINGH SON OF GAYA SINGH R/O VILLAGE- JAGDISHPUR,
P.S.- JAMO BAZAR, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-09-2022 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 (Amendment) Act, 2018.

Altogether 123.150 liters of I.M.F.L. is said to have been recovered from the spot. The apprehended person from the spot disclosed the name of the petitioners.



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 names transpired in the case because of the statement of the apprehended person. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioners have no concern with the said spot from where the recovery has been made. Petitioners have no concern either with the seized liquor or any trade of liquor. Petitioners have no criminal antecedent, as also mentioned in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs.20,000.00/- (Rupees Twenty 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 Excise Case No.10 of 2021, 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.20,000/- (Rupees Twenty Thousand) **each** in the Juvenile Justice Fund.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

