

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13584 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

RAJA KUMAR Son of Awdhesh Kumar Resident of Village - Chakhabib, P.S.
Bibhutipur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13836 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

RANJEET KUMAR S/o Late Sita Ram Mahto R/o village- Chakhabib, P.S.-
Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13876 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SANJEEV KUMAR @ SANJEEV KUMAR SINGH SON OF LATE
PULKIT MAHTO @ PULKIT SINGH R/O VILLAGE- CHAKHABIB, P.S.-
BIBHUTIPUR, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 28822 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BIBHUTIPUR District- Samastipur

AKHILESH KUMAR SINGH Son of Late Ram Narayan Singh Resident of
village - Chakhabib, P.s.- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar



... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13584 of 2022)

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

(In CRIMINAL MISCELLANEOUS No. 13836 of 2022)

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

(In CRIMINAL MISCELLANEOUS No. 13876 of 2022)

For the Petitioner/s : Mr.Jitendra Narain Sinha

For the Opposite Party/s : Mr.Suresh Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 28822 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-07-2022 Heard the parties 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 stipulated 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 Excise (Amendment) Act, 2016, Act 2018.

Altogether 1029.600 litres of foreign liquor is said to have been recovered from the Bamboo-clump of the co-accused Chandra Shekhar Singh.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely



implicated in this case at the instance of his enemies. Their name transpired in this case because the alleged articles was recovered from the bamboo clump of the co-accused Chandra Shekhar Singh, which is situated at the back side of the house of the petitioner Raja Kumar. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. They have no concern either with the seized liquor or any trade of liquor. Petitioners namely Raja Kumar and Akhilesh Kumar Singh have one criminal antecedent and petitioners Sanjeev Kumar and Ranjeet Kumar have no criminal antecedent, which is also mentioned in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty Thousand) each in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioners 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 Bibhutipur P.S. Case No.455 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That 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 the petitioner. He will also undertake to inform the Court if there is any change in the address of the 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 petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.30,000.00/- (Rupees Thirty Thousand) each in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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