

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31768 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- DAUDNAGAR District- Aurangabad

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RANJAN KUMAR @ RANJAN PRASAD @ R.K. BABA S/O AWADHESH
YADAV @ ABADHESH SINGH R/O VILLAGE- KARAN BIGHA, P.S.-
MEHANDIA, DISTRICT- ARWAL

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 31879 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- DAUDNAGAR District- Aurangabad

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RAJ KUMAR GUPTA @ RAJ KUMAR @ GURUJI S/o Saryug Prasad
Resident of Mohalla-Station Road, Dehri, P.S.-Dehri (Town), District-Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 31965 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- DAUDNAGAR District- Aurangabad

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CHUNMUN CHAUDHARY @ ABHISHEK KUMAR @ ABHISHEK
NISHAD SON OF SRIKANT CHAUDHARY R/O VILLAGE- DEOHARA,
P.S.- GOH, DISTRICT- AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 31768 of 2022)

For the Petitioner/s : Mr.Mithilesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 31879 of 2022)

For the Petitioner/s : Mr.Mithilesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 31965 of 2022)

For the Petitioner/s : Mr.Mithilesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.H.A. Khan, APP



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-09-2022 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), 30(c), 33, 36 of the Bihar Prohibition and Excise Act.

Altogether 880 litres of spirit and 660 litres of country made liquor is said to have been recovered from a pick up van. Its driver was apprehended on the spot and he disclosed the name of petitioners and others.

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 at the instance of his enemies. Their name transpired in this case on the basis of confessional statement of apprehended co-accused. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor.



The said pick up van does not belongs to the petitioners. Petitioner Ranjan Kumar @ Ranjan Prasad @ R.K. Baba has two criminal antecedents, petitioner Raj Kumar Gupta @ Raj Kumar @ Guruji has one criminal antecedent and petitioner Chunmun Chaudhary @ Abhishek Kumar @ Abhishek Nishad has no criminal antecedent, as also mentioned in para-3 of the bail application. Similarly situated co-accused namely Dharmendra Prasad has been granted anticipatory bail by this court vide Cr. Misc. No.25553 of 2022 dated 12.08.2022.

Petitioners are agreed to deposit a sum of Rs.50,000.00/- (Rupees Fifty 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 their 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 Daudnagar P.S. Case No.117 of 2022, 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 petitioners shall be accepted by the learned Court below on showing receipt of deposit of Rs.50,000.00/- (Rupees Fifty Thousand) each in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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