

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32994 of 2022

Arising Out of PS. Case No.-12 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Khagaria

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1. AZAD KUMAR Son of Late Gulo Yadav Resident of Village - Khutiya, P.s.- Mansi, Distt.- Khagaria (Bihar).
 2. Amin Kumar Son of Late Gulo Yadav Resident of Village - Khutiya, P.s.- Mansi, Distt.- Khagaria (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-09-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

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

258.12 litres of foreign liquor has been recovered from a Mahindra Jeep. The petitioners and other accused persons are said to have fled away from the place of occurrence.

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



application. The chowkidar has disclosed the name of the petitioners. It is submitted that the said Mahindra Jeep does not belong to the petitioners. It is also submitted that the petitioners are not the owner or drivers or khalasi of the said vehicle. It is further submitted that nothing has been recovered from the conscious possession of the petitioners.

Petitioners are agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) each in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, 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 Additional District Judge-II-cum-Special Judge, Excise, Khagaria in connection with Excise Case No.12C3/2022, 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 relatives, preferably, father, mother, brother, sister and/or their wives.

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

(Anjani Kumar Sharan, J)

Sanjay/-

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