

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43445 of 2021

Arising Out of PS. Case No.-94 Year-2021 Thana- MADHEPUR District- Madhubani

1. PARMA NAND MUKHIYA SON OF SHANKAR MUKHIYA R/O - VILLAGE DARJIYA, P.S. MADHUBANI, DISTRICT MADHUBANI
2. PRAKASH MUKHIYA SON OF SHANKAR MUKHIYA R/O VILLAGE- DARJIYA, P.S- MADHUBANI, DIST- MADHUBANI
3. LAXMAN MUKHIYA SON OF LATE CHHATU MUKHIYA R/O VILLAGE- DARJIYA, P.S- MADHUBANI, DISTRICT- MADHUBANI

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2022 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 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 89.250 liters of foreign liquor is said to have been recovered from motor room of water tank. 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 their enemy. They have no criminal antecedent.

Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) **each** in the account of Bihar Kishore Nyay Nidhi, bearing Saving Bank Account No.35094613009, IFSC Code: SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna, Branch Code 153.

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 Madhepur P.S. Case No.94 of 2021, 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 Bihar Kishore Nyay Nidhi.

(Anjani Kumar Sharan, J)

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