

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46971 of 2022

Arising Out of PS. Case No.-75 Year-2022 Thana- JAMOBABAZAR District- Siwan

1. MOTILAL RAY Son of Vishwanath Ray R/V- Baldiha (Diyar), P.S- Jamo Bazar, Dist- Siwan
2. Mantu Kumar Son of Gajadhar Ray R/V- Baldiha Bathani Tola, P.S- Jamo Bazar, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-10-2022 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.

21.060 litres of illicit liquor has been recovered 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. It is also submitted that there is no recovery from the conscious possession of the petitioners. It is submitted that only on suspicion, the petitioner has been made accused in the present case.



Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) each in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, 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 Exclusive Special Excise Court-I, Siwan in connection with Jamo Bazar P.S. Case No.75 of 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 relative, preferably, father, mother, brother, sister and/or their wife.

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

(Anjani Kumar Sharan, J)

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