

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57512 of 2021

Arising Out of PS. Case No.-179 Year-2021 Thana- SABAUR District- Bhagalpur

1. Sharad Yadav S/o Parmanand Yadav Resident of Village/Mohalla Chandheri, P.S.- Sabour, Distt- Bhagalpur.
2. Sudama Yadav Son of Manchan Yadav Resident of Village/ Mohalla- Chandheri, P.S.- Sabour, Distt- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2022 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.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. It is further submitted that there is no recovery from the conscious possession of the petitioners rather 6 litres of foreign liquor and 16 litres of country made liquor has been recovered from a motorcycle. It is submitted that the apprehended accused disclosed the name of the petitioners and on that basis the



petitioners have been made accused in the present case. It is also submitted that the said motorcycle does not belong to the petitioners and the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioners are agree to deposit a sum of Rs. 10,000/- (rupees ten 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 facts aforesaid and 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 Sessions Judge-II-cum-Special Judge, Excise Act-cum-Special Judge, Vigilance (Trap) Act, Bhagalpur in connection with Sabour P.S. Case No.179 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioners shall be accepted by



the learned Court below on showing receipt of the aforesaid amount deposited in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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