

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49410 of 2022

Arising Out of PS. Case No.-475 Year-2020 Thana- BARH District- Patna

1. AKASH RAM @ AKASH KUMAR SON OF MUNNA RAM @ JAY RAJ PRASAD SINGH R/O- MUHAMMADPUR, AT PRESENT BEHIND SABERA CINEMA HALL, P.S.- BARH, DISTRICT- PATNA
2. CHOTU RAM @ PRAKASH KUMAR SON OF MUNNA RAM @ JAY RAJ PRASAD SINGH R/O- MUHAMMADPUR, AT PRESENT BEHIND SABERA CINEMA HALL, P.S.- BARH, DISTRICT- PATNA

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh
For the Opposite Party/s : Mr.Kanhaiya Kishore(App100)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-11-2022 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 Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

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



137.200 liters of foreign liquor is said to have been recovered from the semi constructed house of one Munna Ram. 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 informant due to enmity. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Petitioners are agreed to deposit a sum of Rs.25,000.00 (Rupees Twenty Five Thousand) **each** in the account of Member Secretary, Bihar State Legal Services Authority, bearing Account No.0380000100252472, IFS Code: PUNB0038000, Punjab National Bank.

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 Barh P.S. Case



No.475 of 2020, 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 the aforesaid amount in the account of Member Secretary, Bihar State Legal Services Authority.

(Anjani Kumar Sharan, J)

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