

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66470 of 2021

Arising Out of PS. Case No.-351 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Ramesh Kumar Bhagat Son of Late Sitaram Bhagat Resident of Village-
Bathana, P.S- Maheshi, Dist- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 67765 of 2021

Arising Out of PS. Case No.-351 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Pappu Kumar S/o Manoj Kumar Mandal @ Manoj Chaupal R/o village-
Bhatgama (Bathwara), P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68154 of 2021

Arising Out of PS. Case No.-351 Year-2021 Thana- GAIGHAT District- Muzaffarpur

Himanshu Kumar Son of Late Vinod Mandal @ Binod Kumar Mandal
Resident of Village - Vishambharpatti, P.S. - Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 66470 of 2021)

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 67765 of 2021)

For the Petitioner/s : Mr. Mukesh Kumar Jha, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 68154 of 2021)

For the Petitioner/s : Mr. Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 29-06-2022 Since all the cases arise from same P.S. Case, as such,

they have been heard together which being disposed of by a



common order.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office be removed within four weeks from today.

In the present case, the petitioners seek bail in connection with Gaighat P.S. Case No. 351 of 2021 registered for the alleged offences under Sections 272, 273, 414, 420, 467, 468, 471/34 of the Indian Penal Code and Sections 30(a), 36/41(1) of the Bihar Prohibition and Excise Act.

The prosecution case is that the petitioners were apprehended from two vehicles from which about 780 liters of illicit liquor was recovered.

The learned counsel for the petitioners submits that the petitioners are innocent and they were innocent bystander and have nothing to do the vehicles from which the liquor was seized. They are neither be the owners nor the drivers of the vehicles. Learned counsel further submits that the petitioners have nothing to do with the co-accused persons. The petitioners are in custody since 04.10.2021

Learned A.P.P. for the State opposes the submissions made on behalf of the petitioner. He submits that the petitioners



were caught red handed with illicit liquor in their possession.

Having regard to the submissions made hereinabove and considering the period of detention of the petitioners, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Gaighat P.S. Case No. 351 of 2021, subject to the following conditions :

(i) The bail bond of the petitioners shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioners.

(iii) The petitioners will remain present on each and every date fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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