

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61894 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- BABUBARHI District- Madhubani

Bharat Mahton @ Bharat Kumar Son of Raj Kumar Mandal @ Raj Kumar
Mahto R/V- Subhash Chowck, Ward No.-15, P.S.- Town, District- Madhubani

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62474 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- BABUBARHI District- Madhubani

Raja Ram Mandal S/o Late Laxmi Mandal R/o J.P. Colony, P.S.- Town, Distt-
Madhubani.

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 61894 of 2022)

For the petitioners/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 62474 of 2022)

For the petitioners/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defects, if any, within three weeks.

The petitioners are apprehending arrest in a case
registered for the offence punishable under Sections 272, 273



and 420/34 of the IPC and Section 30(a), 32(ii)(iii) and 41(i)(ii) 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. He submits that there is no recovery from the conscious possession of the petitioners rather 2178 liters of Indian Made foreign liquor is said to have recovered from a vehicle. He submits that the petitioners were not present at the time of recovery, their name got transpired subsequently on the basis of suspicion. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

petitioners are agreed to deposit a sum of Rs. 1,50,000.00 (Rupees one lac and fifty thousand) each in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the facts and circumstance of the case, let the above named petitioners, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Babubarhi P.S. Case No. 191 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

devendra/-

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