

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68187 of 2022

Arising Out of PS. Case No.-235 Year-2022 Thana- BISFI District- Madhubani

1. Ajay Sharma S/O Late Rajendra Sharma @ Rajendra Thakur Resident of Village- Parsauni North, P.S.- Bisfi, District- Madhubani.
2. Jibachi Devi @ Jibachhi Devi W/O Late Ajay Sharma Resident of Village- Parsauni North, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha

For the Opposite Party/s : Mr. Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2022 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 offences punishable under Sections 272, 273 and 34 of the Indian Penal Code as well as Section 30(a) of the Bihar Prohibition and Excise Act.

9 litres of Nepali liquor has been recovered from the motorcycle of the petitioners standing in front of the house of the petitioners.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioners have got no



criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that the motorcycle belongs to petitioner no.2, who is the wife of petitioner no.1, therefore, the petitioners have been made accused in the present case. It is also submitted that there is no recovery from the conscious possession of the petitioners.

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 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, Madhubani in connection with Bisfi (Patauna) P.S. Case No.235 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.

(ii) 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 Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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