

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68193 of 2022**

Arising Out of PS. Case No.-2 Year-2022 Thana- RAJNAGAR District- Madhubani

Kapil Verma Karwal @ Kapil Verma Son Of Sri Gurucharan Das @
Gurbachan Das @ Gurbachan Ram R/V- House No. 168/4, Village- Kajhedi,
Sector- 52, Kajhedi, Chandigarh, P.S.- Sector-36, Dist- Chandigarh
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 68996 of 2022

Arising Out of PS. Case No.-2 Year-2022 Thana- RAJNAGAR District- Madhubani

Dipak Verma S/O Sri Gurucharan Das @ Gurbachan Das @ Gurbachan Ram
Resident Of House No- 1455/17, P.H.- 11, Sector-65, Mohali (punjab), Sahib
Jada, Ajit Singh Nagar, P.S.- 11 Phase, District- Mahali, Pin- 160062.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 68193 of 2022)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Atul Chandra

(In CRIMINAL MISCELLANEOUS No. 68996 of 2022)

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 22-12-2022

Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 272, 273 of the Indian Penal Code and Sections 30(a)/41(1) 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 3992.760 liters of foreign liquor is said to have recovered from the truck. He submits that the petitioner in Cr. Misc. No. 68193 of 2022 is the driver and petitioner in Cr. Misc. No. 68996 of 2022 is the owner of the truck. He submits that the truck was seized in abandon condition and the petitioners were not present at the place of occurrence. He further submits that petitioners have no criminal antecedent as stated in para-3 of the bail application.

Petitioner in Cr. Misc. No. 68193 of 2022 is agreed to deposit a sum of Rs. 1,00,000/0 (Rupees One Lakh) and petitioner in Cr. Misc. No. 68996 of 2022 is agreed to deposit a sum of Rs. 3,00,000/- (Rupees Three Lakh) 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 their 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 Raj Nagar P.S. Case No. 02 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 their 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)

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