

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2673 of 2023

Arising Out of PS. Case No.-609 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. DILIP SAH Son of Sagar Sah R/v- Sankh, P.S.- Muffasil, District- Begusarai
 2. SAURAV KUMAR Son of Dilip Sah R/v- Sankh, P.S.- Muffasil, District- Begusarai
 3. KAMAL SHARMA Son of Ram Kishun Sharma R/v- Sankh, P.S.- Muffasil, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 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 272/273/120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

268.380 litres of foreign liquor has been recovered from the spot. Two persons were apprehended at the spot who disclosed that the petitioners fled away from the spot.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is submitted that the petitioner no.1 has got two



criminal antecedents and petitioners no.2 and 3 have got no criminal antecedent as stated in paragraph-3 of the bail application. It is further 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 the P.M. Cares Fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

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 Exclusive Special Excise Judge, 1st, Begusarai in connection with Muffasil P.S. Case No.609 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 and/or their wives.

(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 PM Cares Fund.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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