

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6020 of 2023

Arising Out of PS. Case No.-801 Year-2022 Thana- KANTI District- Muzaffarpur

1. RAJEEV YADAV @ RAJEEV KUMAR Son of Mohan Ray @ Mahindra Ray R/v- Sadatpur, P.O.- Kolhua, P.S.- Kanti, District- Muzaffarpur.
2. SATISH KUMAR YADAV @ SATISH KUMAR Son of Vinod Ray R/v- Sadatpur, P.O.- Kolhua, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in a case registered
for the offences punishable under Sections
30(a)/32(i)/32(ii)/36/41(i) of Bihar Prohibition and Excise Act.

864 litres of illicit foreign liquor has been recovered
from a Bolero Pick-up vehicle.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in the
present case. It is submitted that petitioners have got criminal
antecedents as stated in paragraph-3 of the bail application. It is
further submitted that there is no recovery from conscious



possession of the petitioners. It is submitted that driver of the vehicle was apprehended at the spot who disclosed that the petitioners are also engaged in the trade of liquor.

Petitioner No.1 is agree to deposit a sum of Rs.20,000/- (rupees twenty thousand) and Petitioner No.2 is agree to deposit a sum of Rs.50,000/- (rupees fifty thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus 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 Exclusive Special Judge, Excise Court No.-II, Muzaffarpur in connection with Kanti P.S. Case No.801 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 Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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