

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8030 of 2023

Arising Out of PS. Case No.-86 Year-2020 Thana- SIMULTALLA District- Jamui

1. NILU SINGH Son of Parmanand Singh Resident of Village - Simultala, P.S.- Simultalla, District - Jamui
2. Billu Singh @ Bilu Singh Son of Parmanand Singh Resident of Village - Simultala, P.S.- Simultalla, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable u/s 272 and 273 of the IPC and 30(a)/41 of the Bihar Prohibition and Excise Act, 2016.

Altogether 9.375 litres of foreign liquor is said to have been recovered from the premises inside the boundary wall of the petitioners.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their



name transpired in this case on the statement of the apprehended co-accused. It is further submitted that after investigation, the police has filed final form against the petitioners but the Court below differing with the final form, took cognizance against the petitioners. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) each in the Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC SBIN0010340, State Bank of India, High Court Campus, Patna.

Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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 the learned Court below, where the case is pending/Successor court, in connection with Simultalla P.S. Case No.86 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to



how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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 Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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