

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10276 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

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1. Umesh Kumar Son Of Janardan Yadav @ Janardhan Yadav R/O Village-
Manhara Sukhasan, Ward No.10, P.S. And District- Madhepura
 2. Lalit Kumar Son Of Shambhu Yadav R/O Village- Manhara Sukhasan, Ward
No.10, P.S. And District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the
petitioners are innocent and have been falsely implicated in this
case due to suspicion. He submits that no incriminating article
has been recovered from the conscious physical possession of
the petitioners rather 117 liters of foreign liquor is said to have
been recovered from the Scorpio vehicle. He submits that the
petitioners are neither owner nor driver of the alleged vehicle.
He submits that the petitioner no. 1 has three criminal



antecedent and petitioner no. 2 has no criminal antecedent as stated in para-3 of the bail application.

Petitioner no. 1 is agreed to deposit a sum of Rs.40,000.00 (Rupees Forty Thousand) and petitioner no. 2 is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the account of Bihar State Bar Council Welfare Fund bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 learned Court below where the case is pending/successor Court in connection with Excise P.S. Case No. 95 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.



(2) 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 account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

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