

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.10830 of 2023**

Arising Out of PS. Case No.-1049 Year-2022 Thana- SIKARPUR District- West Champaran

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RAJU SAH @ RAJU PRASAD Son of Late Shambhu Sah Resident of  
Machhargaan, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with

**CRIMINAL MISCELLANEOUS No. 11732 of 2023**

Arising Out of PS. Case No.-1049 Year-2022 Thana- SIKARPUR District- West Champaran

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Nanhki Sah @ Nand Kishore Sah @ Nand Kishore Prasad Son of Bhikhari  
Sah R/o Machhargawan, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 10830 of 2023)

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Md. Matloob Rab, APP

(In CRIMINAL MISCELLANEOUS No. 11732 of 2023)

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the State : Ms. Pronoti Singh, APP

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

2      27-04-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

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

90.840 litres of foreign liquor has been recovered



from the orchard of one Lota Ram. It is alleged that the petitioners fled away from the place of occurrence.

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 of Cr. Misc. No.10830 of 2023 has got four criminal antecedents and petitioner of Cr. Misc. No.11732 of 2023 has got one criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that *Dafadar* has disclosed the name of the petitioners. It is lastly submitted that there is no recovery from the conscious possession of the petitioners.

Petitioner of Cr. Misc. No.10830 of 2023 is agree to deposit a sum of Rs. 50,000/- (rupees fifty thousand) and petitioner of Cr. Misc. No.11732 of 2023 is agree to deposit a sum of Rs.20,000/- (rupees twenty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council 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, Bettiah, West Champaran in connection with Shikarpur P.S. Case No.1049 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 bonds of the petitioners shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

**(Anjani Kumar Sharan, J)**

S.KUMAR/-

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