

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10376 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- SAKRI District- Madhubani

DEVENDRA DAS S/o Late Hosiya Das R/o Village- Bhawanipur, P.S.- Sakri, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 11460 of 2023

Arising Out of PS. Case No.-281 Year-2022 Thana- SAKRI District- Madhubani

GEETA DEVI W/O DEVENDRA DAS R/v- Bhawanipur, P.S.- Sakri, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 10376 of 2023)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Md. Shakir Ahmad

(In CRIMINAL MISCELLANEOUS No. 11460 of 2023)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mrs. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 As both these applications arise from the same P.S. Case No., with consent of parties, they have been heard together and disposed of by a common order.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a



case registered for the offence punishable under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 25 liters of country made liquor is said to have recovered in the bamboo orchard behind the house of the petitioner. He submits that the said bamboo orchard does not belong to the petitioners. He submits that there is no recovery made from the conscious possession of the petitioners. He further submits that petitioner in Cr. Misc. No.10376/2023 has got one criminal antecedent and petitioner in Cr. Misc. No. 11460/2023 has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner in Cr. Misc. No.10376/2023 is agreed to deposit a sum of Rs. 20,000.00/- (Rupees Twenty Thousand) and petitioner in Cr. Misc. No. 11460/2023 is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.



Considering the facts and circumstance of the case and the fact that nothing recovered from the conscious possession of the petitioners, let the above named petitioners, 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 the learned court below where the case is pending/successor court in connection with Sakri P.S. Case No. 281 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

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

(2) The petitioners shall not indulge himself 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 the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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