

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27178 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- KALER District- Jehanabad

1. MALA RAM Son of SONA RAM Village- Deepla Ps- Serwa Dist- Barmer Rajasthan
2. Babu Lal son of Gobardhan Ram Village-Deepla Ps- Serwa Dist- Barmer Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Nagendra Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioners seek regular bail in connection with
Kaler P. S. Case No. 33 of 2023 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

Learned counsel for the petitioners submits that the
there is recovery of 3654 litres of illicit liquor from the truck in
question and also the petitioners are in custody since
05.03.2023. The petitioners have no criminal antecedent.



Learned APP has vehemently opposed the prayer for bail.

The petitioners have offered to pay Rs. 50,000/- (Rupees fifty thousand) each in the Ramkrishna Mission, Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar -842002 without accepting their guilt.

Considering the nature of allegation levelled against the petitioners, their period of custody and their clean antecedent, this application is allowed.

Let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge-II Excise, Jehanabad in connection with Kaler P. S. Case No. 33 of 2023.

The petitioners shall deposit an amount of Rs. 50,000/- (Rupees fifty thousand) each as have been offered by them, in the Ramkrishna Mission, Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar -842002 and will produce the receipt of the same at the time of furnishing the bail bonds in the court below. The bail bonds of the petitioners shall be accepted only after they produce the receipt of Rs. 50,000/- (Rupees fifty thousand) each issued by the Ramkrishna Mission,



Sevashrama, Swami Vivekananda Path, Bela, Muzaffarpur, Bihar -842002 and after verification of the genuineness of the said receipt from concerned Ramkrishna Mission Ashram.

Since the petitioners are from Rajasthan, the court below is directed to verify the recent address of the petitioners before releasing them and one of the bailors should be blood relative of the petitioners and they shall be released after framing of charge.

The verification process shall be initiated by court below just after the communication of the copy of this order to the court below.

(Sandeep Kumar, J)

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