

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30914 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- MANIGACHI District- Darbhanga

Vikram Yadav @ Bikram Kumar Singh @ Vikram Kumar Singh Son Of
Bhola Yadav Resident of Village-Sagarpur, P.S.-Sakri, District-Madhubani, At
present Village- and P.S.-Pandaul, District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 31410 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- MANIGACHI District- Darbhanga

Bhola Das @ Sujeet Kumar Das @ Chhote Das S/O Manoj Das R/O Village-
Budhan Jha Tola, P.S- Pandaul, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 30914 of 2023)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Shaheen Begum

(In CRIMINAL MISCELLANEOUS No. 31410 of 2023)

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 19-05-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with
Manigachi (Neora O.P) P.S. Case No.42 of 2023, registered
for the offences punishable under Sections 467, 468, 471,



420, 120(B) of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per allegation, 6899.655 liters of liquor has been recovered from the alleged vehicles.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He also submits that the names of the petitioners have transpired in the confessional statement of the co-accused. He further submits that nothing has been recovered from the conscious possession of the petitioners. He also submits that search and seizure has not been made as per the procedure as prescribed under Section 100 Cr. P.C.

He further submits that the petitioners have been languishing in jail since 24.03.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner no.1 and Petitioner no.2 have earlier been made accused in fourteen and two other cases each respectively.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court



earlier either for anticipatory bail or regular one in the present case.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Concerned court in connection with Manigachi (Neora O.P) P.S. Case No.42 of 2023 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person



acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

(vi) In case, the petitioners repeat offence of similar nature after enlargement on bail, their bail bonds will be cancelled by the court below.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office



objections.

(Jitendra Kumar, J)

skm/-

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