

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33860 of 2023

Arising Out of PS. Case No.-123 Year-2023 Thana- KOTWA District- East Champaran

1. TAHIR Son of Rahmat Resident of Village - Jot Ruhalla, P.S.- Gopalgarh, District - Bharatpur Dih (Rajsthan).
2. Akib @ Akib Khan Son of Sarif Resident of Village - Dhakpuri, P.S.- Tijra, District - Alwar (Rajsthan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for petitioners and learned
Additional Public Prosecutor.

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

This application is filed for grant of regular bail in
connection with Kotwa P.S. Case No. 123 of 2023 registered for
the offences under Sections 272, 273, 467, 468, 471 of the
Indian Penal Code and Sections 30(a), 32, 36 and 41(i) of the
Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that there
is recovery of 7150 litres of spirit and petitioners has offered to
deposit ₹1,00,000/- (Rupees One Lakh Only) in Ram Krishna



Mission Sevashrama, Swami Vivekanand Path, Bela, Muzaffarpur, Bihar- 842002, without accepting his guilt. The petitioner is from Rajasthan. The petitioners have clean antecedent and also they are in custody since 02.04.2023.

Learned A.P.P. has vehemently opposed the prayer for bail.

Considering the period of custody and the allegations levelled against the petitioners and also the petitioners have no antecedent, this application for regular bail is allowed.

Let the petitioners, above named, be released on bail after framing of charge and on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Court of learned Special Excise Court-1, East Champaran, Mothihari in connection with Kotwa P.S. Case No. 123 of 2023.

The petitioner shall deposit an amount of ₹1,00,000/- (Rupees One Lakh Only), as has been offered by him, in the Ram Krishna Mission Sevashrama, Swami Vivekanand 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 he produces the receipt of ₹1,00,000/- (Rupees One Lakh



Only) issued by the Ram Krishan Mission, Muzaffarpur 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 him and one of the bailors should be blood relative of the petitioners and the petitioners 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)

abhishekk/-

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