

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37409 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- SAKATPUR District- Darbhanga

Raja Jha @ Raja Kumar Jha @ Prabhat Kumar Jha Son Of Kashinath Jha
Resident Of Village- Ward No. 2 Macchaita, Machhaita, Ps- Skatpur, Distt-
Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 37497 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- SAKATPUR District- Darbhanga

Gaurav Paswan Son Of Kaplu Paswan Village- Machhaita Kurson Kurso,
Nadiami Ps- Skatpur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37409 of 2023)

For the Petitioner/s : Mr.Raghvendra Kumar

For the Opposite Party/s : Mr.Nityanand

(In CRIMINAL MISCELLANEOUS No. 37497 of 2023)

For the Petitioner/s : Mr.Raghvendra Kumar

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2023 Heard learned counsel for the petitioners and

learned A.P.P. for the State.

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

3. Learned counsel for the petitioners submits that
the petitioners are innocent and have been falsely implicated in
this case. He submits that no incriminating article has been



recovered from the conscious physical possession of the petitioners rather 35.640 liters of foreign liquor is said to have been recovered from the Baswari. He submits that there is general and omnibus allegation levelled against the petitioners. Petitioners has no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioner of Cr. Misc. No. 37409 of 2023 has no criminal antecedent and petitioner of Cr. Misc No. 37497 of 2023 has one criminal antecedent as mentioned in para-3 of this application.

4. Petitioner of Cr. Misc. No. 37409 of 2023 is agreed to deposit a sum of Rs.30,000.00 (Rupees Thirty Thousand) and petitioner of Cr. Misc No. 37497 of 2023 is agreed 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.

5. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each



with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Sakatpur P.S. Case No. 22 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

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

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

6. The bail bond 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)

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