

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38625 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- KHUSRUPUR District- Patna

1. MANOJ DAS @ MANOJ KUMAR S/O AKHILESH DAS R/O Village- Safipur, P.S- Khusrupur, Distt.- Patna.
2. Sanoj Das @ Sanoj Kumar S/O Akhilesh Das R/O Village- Safipur, P.S- Khusrupur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shambhu Narayan Singh, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 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 under Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Altogether, 38 litres country made liquor has been recovered from the place of occurrence.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners rather the alleged country made liquor is said to have been recovered



from the possession of accused Bipin Das and from a hut situated at back side of the house of co-accused Akhilesh Das. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been falsely implicated in this case at the instance of his enemy. They were not apprehended on the spot. They had not consumed liquor. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) each in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. 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 Khusrupur P.S. Case No. 148 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 his own blood relative,
preferably, father, mother, brother, sister and/or his wife.

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

7. The bail bond of the petitioners shall be accepted by
the learned Court below on showing receipt of deposit of the
aforesaid amount in Patna High Court Legal Services
Committee, Patna as well as after verifying the fact regarding
criminal antecedent of the petitioners and if it is found that
petitioners have criminal antecedent, their bail bond shall not be
accepted.

(Anjani Kumar Sharan, J)

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