

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40113 of 2023

Arising Out of PS. Case No.-95 Year-2023 Thana- TEGHRHA District- Begusarai

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1. SUNIL KUMAR JHA S/O RAMADHAR JHA R/O Vill. Bamaia Harlal, Ward No. 01, PS. Dalsingsarai, Dist. Samastipur
 2. RAJAN KUMAR @ RANJAN KUMAR S/O SUNIL KUMAR JHA R/O Vill. Bamaia Harlal, Ward No. 01, PS. Dalsingsarai, Dist. Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur, Adv.

For the Opposite Party/s : Mr.Indu Kumari Srivastava, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 08-08-2023 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 120 B of the Indian Penal Code and Sections 30 (a), 32(i), (ii), 36 and 41 (i) of the Bihar Prohibition and Excise Act, 2018.

3. Altogether, 146.880 litres foreign liquor and 112.320 foreign liquor have been recovered from Mahindra Bolero Car and Alto Car, respectively. Petitioner no.1 is the registered owner of the seized vehicles, whereas fastag stickers attached with two vehicles are in the name of petitioner no.2

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. Petitioners have no concern either with the seized liquor 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 their enemies. They were not apprehended on the spot. They had not consumed liquor. They have been made accused merely because both the vehicles belong to them. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Petitioners are agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty 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 Teghra P.S. Case No. 95 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.

(Anjani Kumar Sharan, J)

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