

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37419 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- WAJIRGANJ District- Gaya

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1. Nitish Yadav @ Mantri @ Nitish Kumar Son Of Janki Yadav Resident Of Village- Basua, Ps- Fatehpur, District- Gaya
 2. Kaushal Kumar Son Of Sarju Prasad Yadav Resident Of Village- Basua, Ps- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Anand Kishore Choudhary

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 under 414 of the Indian Penal Code and Sections 30 (a) and 45 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 80 liters of country made liquor is said to have been recovered from the motorcycle. Petitioners have no concern either with the seized liquor or the place of recovery or



any trade of liquor. Apprehended person disclosed the name of the petitioners. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

4. Petitioners are agreed to deposit a sum of Rs.25,000.00 (Rupees Twenty Five Thousand)each 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 Wazirganj P.S. Case No. 147 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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