

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39997 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- DESARI District- Vaishali

THAKUR SUJEET KUMAR @ THAKUR SUJIT KUMAR S/O KATE
RAMDAS SINGH @ LATE RAMDAS SINGH R/O Village- Chakhari Ram ,
PS. Mahua, Dist. Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

WITH

CRIMINAL MISCELLANEOUS No. 40029 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- DESARI District- Vaishali

MUNESHWAR SINGH S/O LATE ANAND MOHAN SINGH R/O Village-
Madarpur, P.O- Hari Makhumpur, P.S- Alipur, Distt.- Gaya. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

WITH

CRIMINAL MISCELLANEOUS No. 42283 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- DESARI District- Vaishali

PRAMOD JHA Son of Late Jamuna Jha Resident of village - Gomti, P.S. -
Rajapakar, Distt. - Vaishali. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 39997 of 2023)

For the Petitioner/s : Mr. Hemant Kumar

For the Opposite Party/s : Mr. Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 40029 of 2023)

For the Petitioner/s : Mr. Subhash Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

(In CRIMINAL MISCELLANEOUS No. 42283 of 2023)

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-08-2023 As all these bail applications have cropped up from

the same police station case number, hence, with consent of



parties, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and the learned A.P.P. for the State.

3. The petitioners apprehend their arrest in connection with Desari (Sahdeai O.P.) P.S. Case No.117 of 2023 for the offences punishable under Sections 341, 323, 379, 384, 504 & 506/34 of the Indian Penal Code and Section 50 (C) (D) of the Bihar Prohibition and Excise Act, 2018.

4. The allegation against these petitioners is that being members of the ALTF team one Ayodhya Singh was apprehended from village Pohiyaar Sona Chimney and on search of dikki of motorcycle three liters of foreign liquor was recovered. Thereafter, a call was made from mobile number of accused Ayodhya Singh to mobile number of his son and asked him to brought Rs.5 lacs and on receiving only Rs.50,000/- from son of accused Ayodhya Singh he was implicated in the case.

5. The petitioners are quite innocent and have been falsely implicated in this case due to greedy intention of the informant. It is further submitted that the date of occurrence is 29.03.2023 but the F.I.R. was lodged on 03.04.2023. It is



further submitted that during the investigation statement of one Rajiv Kumar, who is said to be the friend of Vikas Kumar (son of accused Ayodhya Singh), has not been recorded by the Inquiry Officer and as such the whole enquiry report is baseless and conducted in bias manner. It is further submitted that due to political approach and good relation with the local police station the said Vikash Kumar was released on P.R. bond in Desari (Sahdei O.P.) P.S. Case No.107 of 2023. It is also submitted that on going through the entire prosecution story in the F.I.R. no ingredient of commission of any offence is attributable against the petitioners and petitioners have been falsely implicated in the present case only on surmises being members of ALTF team. The allegations levelled against the petitioners is general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of their respective application.

6. *Per contra*, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

7. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer



for bail of the petitioners is hereby rejected. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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