

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38444 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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DEEPAK KUMAR @ DIPAK KUMAR Son of Mantun Yadav @ Mantoon
Yadav @ Mintu Kumar Resident of village - Rajapur, Ward No.- 03, P.S.-
Muffasil (Singhoul O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38904 of 2023

Arising Out of PS. Case No.-176 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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PRINCE KUMAR @ GOLU THAKUR Son of Pramod Thakur Resident of
village-Machaha, P.S.-Muffasil (Singhaul O.P.), District-Begusarai (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 38444 of 2023)

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Humayou Ahmad Khan

(In CRIMINAL MISCELLANEOUS No. 38904 of 2023)

For the Petitioner/s : Mr. Nakul Kumar Jamuar

For the Opposite Party/s : Ms. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-08-2023 As both 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



learned A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30 (a) of the Bihar Prohibition and Excise Act, 2018.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 39 liters of foreign liquor is said to have recovered from the place of occurrence. He submits the entire recovery of illicit liquor has been made from an open place and any one can easily move and keep and conceal the illicit liquor in the agricultural field. The petitioner of Cr. Misc. No. 38444 of 2023 has no criminal antecedent and petitioner of Cr. Misc. No. 38904 of 2023 has one criminal antecedent as stated in para-3 of the bail application.

5. Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) **each** in 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 and the fact that there is nothing recovered from the



conscious possession of the petitioners, 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 the learned Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No.176 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) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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 the account of Patna High Court Legal
Services Committee, Patna.

(Anjani Kumar Sharan, J)

anand/-

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