

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40342 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- KALUAHI District- Madhubani

-
1. CHANDRA SHEKHAR RAM S/O FEKU RAM @ FERU RAM R/O Village- Balua Tol, PS. Kaluahi, Dist. Madhubani
 2. FEKU RAM @ FERU RAM S/O LATE RAMESHWAR RAM R/O Village- Balua Tol, PS. Kaluahi, Dist. Madhubani

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah
For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 02-08-2023 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 272 & 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 72 liters of Nepali liquor is said to have been recovered behind the house of the petitioner no.1. They have no concern with the seized liquor. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have



been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery from their possession. They have been falsely implicated in this case by the police due to some altercation between them on his refusal to cough up the demand of graft made by them. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten 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 the learned Court below where the case is pending/successor Court in connection with Kaluahi P.S. Case No.70 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 his 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.

7. The learned Court below is directed to accept the bail bond of the petitioners after verifying the fact that in fact they have no criminal antecedent because in paragraph-3 of this application, they have stated that they have no criminal antecedent.

(Anjani Kumar Sharan, J)

Trivedi/-

U		T	
---	--	---	--

