

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44291 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

SARVANSINGH @SHRAVAN KUMAR SINGH SON OF LATE KASHI
SINGH RESIDENTS OF VILLAGE- HEMATPUR, POLICE STATION-
ARA MUFASIL, (DHOBAHA OUT POST) DIST- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45380 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

SANOJ SINGH @SANOJ KUMAR SINGH @SANOJ KUMAR SON OF
CHHOTE SINGH RESIDENT OF VILLAGE- HEMATPUR ,PS -ARA
MUFASIL, (DHOBAHA OUT POST) DISTRICT-BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 44291 of 2023)

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

(In CRIMINAL MISCELLANEOUS No. 45380 of 2023)

For the Petitioner/s : Mr.Uday Kumar, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard learned counsel for the parties.

2. Petitioners apprehend their arrest in connection with a
case registered for the offence punishable u/s 30(a) of the Bihar
Prohibition and Excise Amendment Act-2018.

3. Altogether 17.280 litres of foreign liquor is said to have
been recovered from a motorcycle and it is alleged that
petitioner and other accused fled away on seeing the police



leaving behind the motorcycle.

4. Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. Petitioners have been falsely implicated in this case at the instance of their enemies. Their name transpired in this case on the disclosure of his name by the local Chaukidar. Petitioners have neither been apprehended on the spot nor any incriminating article has been recovered from their conscious physical possession. They have no concern either with the seized liquor or any trade of liquor or the vehicle of recovery. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

5. Petitioners are agreed to deposit a sum of Rs.10,000.00/- (Rupees Ten Thousand) each in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Ara Mufasil (Dhobaha Out Post) P.S. Case No.174 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions.

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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 Rs.10,000.00/- (Rupees Ten Thousand) each in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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