

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43958 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- KURSAILA District- Katihar

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1. SANJEEV RABIDAS S/O ANANT RABIDAS R/O VILLAGE-BAHRAMPUR, PS. BIHPUR, DIST. BHAGALPUR
 2. NAVEEN KUMAR S/O BRAJ KISHOE RABIDAS R/O VILLAGE-BAHRAMPUR, PS. BIHPUR, DIST. BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioners and learned
A.PP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a), 36 and 41(I) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in brief, is that on secret information, a total quantity of 6444 litres of foreign liquor is said to have been recovered from one truck. Driver and owner of the truck were apprehended at the spot, who disclosed the name of their associates including the petitioner.

4. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the



conscious physical possession of the petitioner. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The similarly situated co-accused person has been granted bail by this Court vide order dated 09.09.2022 passed in Cr. Misc. No. 33605 of 2022.

5. Petitioners are agreed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh) 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.

6. 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 Kursela P.S. Case No. 19 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. subject to the further conditions that

(i) One of the bailors will be his own blood relative, preferably. father, mother, brother, sister and/or his wife.



(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

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)

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