

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43986 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- KANTI District- Muzaffarpur

PRATAP SINGH S/O LALCHAND R/O Village- Bursham, P.S- Samalka,
Distt.- Panipat (Haryana).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44467 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- KANTI District- Muzaffarpur

ANIL @ ANIL KUMAR son of Rajendra Singh @ Rajender Singh H.No-100,
Jattal Road Balaji Dharmkanta Ram Nagar Ps- Old Industrial Area Dist-
Panipat

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 44645 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- KANTI District- Muzaffarpur

AMIT @ AMIT KUMAR S/O RAJENDRA SINGH @ RAJENDER SINGH
R/O House No. 100, Jattal Road, Balaji Dharmkanta, Ram Nagar, P.S- Old
Industrial Area, Distt.- Panipat (Haryana).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 43986 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

(In CRIMINAL MISCELLANEOUS No. 44467 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

(In CRIMINAL MISCELLANEOUS No. 44645 of 2023)

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

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 in aforementioned three anticipatory bail



applications.

2. Since all the three anticipatory bail applications arises out of same P.S. case, hence all the three anticipatory bail applications heard together and being disposed of by this common order.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 120(B) of the Indian Penal Code and Section 30(a), 32(i)(ii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 1693.320 litres of foreign liquor was recovered from the mini truck bearing Registration No.HR-69C-3658.

5. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. The name of the petitioner in Cr. Misc. No.43986 of 2023 was transpired because of Fast TAG card which has recovered from the said truck. Name of Anil @ Anil kumar, petitioner in Cr. Misc. No.44467 of 2023, transpired because he is the Registered owner of truck and name of Amit @ Amit Kumar, petitioner in Cr. Misc. No.44645 of 2023, transpired on confessional statement of co-accused person, and therefore, the petitioners are made accused



in the present case. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor.

6. Petitioners are agreed to deposit a sum of Rs.50,000/- (Rupees Fifty 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.

7. 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 Kanti P.S. Case No. 295 of 2023, 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.

8. 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.

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(Anjani Kumar Sharan, J)

