

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47268 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- GANGABRIDGE District- Vaishali

1. Mukul Kumar Son Of Shivjee Singh Resident Of Village - Sahdullahpur,
P.S. - Ganga Bridge, Distt. - Vaishali
2. Bandhan Singh @ Krishna Kumar Son Of Umesh Singh Resident Of Village
- Sahdullahpur, P.S. - Ganga Bridge, Distt. - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 48531 of 2023

Arising Out of PS. Case No.-114 Year-2023 Thana- GANGABRIDGE District- Vaishali

Rakesh Kumar S/O Late Upendra Singh R/O Village- Sahdullapur, Ps. Ganga
Bridge, Distt. Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47268 of 2023)

For the Petitioner/s : Mr. Anish Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 48531 of 2023)

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2023

Re:- Cr. Misc. No. 47268 of 2023

Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in anticipation of their
arrest in a case registered for the offences punishable under



Section 30(a) of the Bihar Prohibition and Excise Act.

3. The learned counsel for the petitioners submits that the petitioner no. 1 has three antecedents and petitioner no. 2 has six antecedents and the allegation is of recovery of 411.510 litres of liquor from the banana plantation of Chunnu Kumar.

4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and they are implicated by local people but then the name of the local person, who disclosed the name of the petitioners are not mentioned in the FIR which casts an aspersion on the case of the prosecution. It is next submitted that it appears that the police falsely implicated the petitioners in order to save the real culprit because of their antecedent when petitioners have no concern with the banana plantation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above named, in the event of thier arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 25,000/-(Rupees Twenty Five Thousand) each with two sureties of the like



amount each to the satisfaction of the learned Exclusive Spl. Excise Court No.- 1 -Cum- Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No 114 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

Re:- Cr. Misc. No. 48531 of 2023

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The learned counsel for the petitioner submits that the petitioner has three antecedents and the allegation is of recovery of 411.510 litres of liquor from the banana plantation of Chunnu Kumar.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he is implicated by local people but the name of the person, who disclosed the name of the petitioner is not mentioned in the FIR which casts an aspersion on the case of the prosecution. It is next submitted that



it appears that the police falsely implicated the petitioner in order to save the real culprit because of his antecedent where petitioner has no concern with the banana plantation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.- 1 -Cum- Additional District and Sessions Judge, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No 114 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Sankalp/-

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