

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51730 of 2023**

Arising Out of PS. Case No.-178 Year-2023 Thana- KARJA District- Muzaffarpur

DHARMENDRA KUMAR @ DHARMENDRA SAH @ BAGHMARE SON
OF DEOCHANDRA SAH VILL PAKARI PAKAHI, PS- KARJA, DIST-
MUZAFFARPUR

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 55492 of 2023

Arising Out of PS. Case No.-178 Year-2023 Thana- KARJA District- Muzaffarpur

RAMADHAR SAHNI SON OF PARIKSHAN SAHNI R/O-KARNPUR
DAKSHINI, P.S.-BOCHAHAN, DISTT.-MUZAFFARPUR

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51730 of 2023)

For the Petitioner/s : Mr.Upendra Kumar Chaubey, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 55492 of 2023)

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 09-10-2023 As both these bail applications have cropped up from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common

order.



2. Heard Mr. Upendra Kumar Chaubey, learned counsel for the petitioner, Mr. Shyam Bihari Singh, learned APP for the State in Cr. Misc. No. 51730 of 2023 and Mr. Alok Kumar Alok, learned counsel for the petitioner and Mr. Dilip Kumar No.1, learned APP for the State in Cr. Misc. No. 55492 of 2023.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 30 (a), 36, 41(2) of the Bihar Prohibition and Excise Act, 2016.

4. Altogether 2590.485 litres of foreign liquor has been recovered from eight vehicles. All the accused persons fled away from the spot.

5. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been falsely implicated in this case at the instance of their enemy. They were not apprehended on the spot. They have been made accused in the present case merely on the disclosure of the local villagers. Petitioners have no



criminal antecedent as mentioned in para-3 of this application.

6. Petitioners are agreed to deposit a sum of Rs. 50,000.00 (Rupees Fifty Thousand) each in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, 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 Karja P.S. Case No. 178 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 his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

8. The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the



aforesaid amount in Patna High Court Legal Services
Committee, Patna.

(Anjani Kumar Sharan, J)

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