

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50357 of 2023

Arising Out of PS. Case No.-138 Year-2023 Thana- RAJEPUR District- East Champaran

1. Rekha Devi W/O Premchandra Prasad R/O Village- Rajepur, Ps. Rajepur, Dist. East Champaran
2. Prince Kumar S/O Premchandra Prasad R/O Village- Rajepur, Ps. Rajepur, Dist. East Champaran

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 39.315 liters of foreign liquor is said to have been recovered from the house of co-accused, Premchandra Prasad. Petitioners are wife and son of the co-accused Premchandra Prasad. They



have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case at the instance of their enemy by planting the aforesaid recovery in their house. It is further submitted that the house of the petitioners is a joint family house and inhabited by several family members. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner are agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty 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.

5. 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 the learned Court below where the case is pending/successor Court in connection with Rajepur P.S. Case No.138 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 their own blood relative, preferably, father, mother, brother, sister and/or his wife.

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

6. 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)

Trivedi/-

U		T	
---	--	---	--

