

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50426 of 2023

Arising Out of PS. Case No.-1218 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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1. RAVI KUMAR GUPTA @ RAVI GUPTA SON OF RAJENDRA SAH @ SUKLA GUPTA R/O-CHHIT BHAGWATIPUR, P.S.-AHIYAPUR, DISTT.-MUZAFFARPUR, AT PRESENT ADDRESS MOHALLA-CHANDWARA, SODA GODAM CHOWK, P.S.-TOWN, DISTT.-MUZAFFARPUR
 2. RANJIT KUMAR @ RANJIT SAHNI @ RANJIT SON OF RAJU SAHANI R/O-CHHIT BHAGWATIPUR, P.S.-AHIYAPUR, DISTT.-MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 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 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 881.280 liters of foreign liquor is said to have been recovered from the place of occurrence. The allegation against the petitioners is that they escaped from the place of occurrence



after seeing the police party. 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 due to animosity. Petitioner no.1 has three criminal antecedents of similar nature of the offence, whereas petitioner no.2 has one criminal antecedent as mentioned in para-3 of this application.

4. Petitioner no.1 is agreed to deposit a sum of Rs.60,000.00 (Rupees Sixty Thousand) and petitioner no.2 is agreed to deposit a sum of Rs.40,000.00 (Rupees Forty Thousand) 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 Excise Case No.1218 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 their 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.

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)

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