

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50480 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- DORIGANJ District- Saran

1. Sanjay Rai @ Sanjay Kumar S/O Late Akalu Rai @ Late Akhileshwar Prasad R/O Village- Kajipur, Ps. Doriganj, Dist. Saran
2. Munna Rai @ Munna Kumar S/O Nathuni Rai R/O Village- Daftarpur, Ps. Doriganj, Dist. Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 51226 of 2023

Arising Out of PS. Case No.-181 Year-2023 Thana- DORIGANJ District- Saran

Parmatma Ray @ Parmatma Kumar Yadav Son Of Mahendra Ray Resident Of Village - Balwan Tola, P.S. - Doriganj, District - Chapra At Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 50480 of 2023)

For the Petitioner/s : Mr.Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

(In CRIMINAL MISCELLANEOUS No. 51226 of 2023)

For the Petitioner/s : Mr.Rakesh Mohan Singh

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2023 Learned counsel for the petitioners submits that the petitioner no. 1 of Cr. Misc. No. 50480 of 2023 has been arrested by the police, therefore, he seeks permission to withdraw this application with regard to the petitioner no. 1 of Cr. Misc. No. 50480 of 2023.

2. Permission is granted.

3. Accordingly, this application is dismissed as



withdrawn with regard to the petitioner no. 1 of Cr. Misc. No. 50480 of 2023.

4. Heard learned counsel for the petitioners and learned A.P.P. for the State for consideration of bail with regard to rest of the petitioners.

5. The petitioners apprehend their arrest in a case registered for the offences punishable Section 30 (a) of the Bihar Prohibition and Excise Act.

6. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 120 liters of beer is said to have been recovered from the place of occurrence. He submits that the apprehended persons disclosed the name of the petitioners. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. Petitioners of Cr. Misc. No. 50480 of 2023 have criminal antecedent and petitioner of Cr. Misc. No. 51226 of 2023 has no criminal antecedent as mentioned in para-3 of these applications.

7. Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten 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.

8. 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 Doriganj P.S. Case No. 181 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 their wife.

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

9. 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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