

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54512 of 2022

Arising Out of PS. Case No.-351 Year-2022 Thana- GHORASAHAN District- East
Champaran

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1. PAPPU YADAV @ PAPPU KUMAR Son of Tejilal Yadav R/o village -
Yaduvanshi Nagar, Basbariya, P.S.- Ghorasahan, District - East Champaran.
 2. Prabhu Rai @ Prabhu Kumar Son of Yogendra Rai R/o village - Yaduvanshi
Nagar, Basbariya, P.S.- Ghorasahan, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in a case registered
for the offence punishable under Section 30(a) of Bihar
Prohibition and Excise Act.

71.700 litres of Nepali liquor has been recovered from
the bicycle of the petitioners. The petitioners are said to have
fled away from the place of occurrence.

Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in the
present case. It is submitted that the petitioners have got no
criminal antecedent as stated in paragraph-3 of the bail



application. It is further submitted that there is no recovery from conscious possession of the petitioners and local *Chowkidar* has disclosed the names of the petitioners. It is also submitted that the bicycle does not belong to the petitioners as stated in paragraph-9 of the bail petition.

Petitioners are agree to deposit a sum of Rs.10,000/- (rupees ten thousand) **each** in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioners, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Excise Court No.1, East Champaran, Motihari in connection with Ghorasahan (Jharokhar) P.S. Case No.351 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as 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.

The bail bond of the petitioners shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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