

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59497 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- KAJRAILICHAK District- Bhagalpur

Bablu Kumar Son of Late Laxmi Sah R/o Village- Sakhuwa, P.S.-
Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 74687 of 2022

Arising Out of PS. Case No.-56 Year-2022 Thana- KAJRAILICHAK District- Bhagalpur

Abdhesh Verma @ Abdhesh Kumar Verma Son of Sri Nand Kishor Verma @
Sri Nandkishor Verma R/O Ratura, Pahariya, P.S.- Sarwan, District- Deoghar
(jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 59497 of 2022)

For the Petitioner/s : Mr. Dipak Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

(In CRIMINAL MISCELLANEOUS No. 74687 of 2022)

For the Petitioner/s : Mr. Abhimanyu Deo

For the Opposite Party/s : Mr. Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR

ORAL ORDER

2 13-01-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Kajraili
P.S. Case No.56 of 2022, registered for the offences
punishable under Section 30(a)/ 32(i)(ii)/36/41 of the Bihar



Prohibition and Excise Act, 2016.

As per allegation, 40.5 liters of foreign liquor has been recovered from a car bearing Registration No. BR-01GE-6635.

Ld. counsel for the petitioners submits that the petitioner are innocent and have falsely been implicated in this case due to dirty village politics. He also submits tht the allegation against the petitioners is totally false, fabricated and concocted. He further submits that nothing has been recovered from the conscious possession of the petitioners.

He further submits that the petitioners, Bablu Kumar and Abdhesh Verma have been languishing in jail since 08.08.2022 and 10.10.2022 respectively.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners, Bablu Kumar and Abdhesh Verma have earlier been made accused in four and five other cases each, respectively.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.



However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Special Judge Excise-I, Bhagalpur in connection with Kajraili P.S. Case No.56 of 2022 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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