

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60489 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- LAUKAHI District- Madhubani

Jagarnath Kumar Safi @ Jagarnath Safi Son Of Mahendra Safi, R/O Village-
Amchiri, P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62611 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- LAUKAHI District- Madhubani

Ram Narayan Mandal Son of Ramnath Mandal, Resident of village - Kusha,
P.S.- Pato, District - Saptari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60489 of 2022)

For the Petitioner/s : Mr. Baleshwar Kamat, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

(In CRIMINAL MISCELLANEOUS No. 62611 of 2022)

For the Petitioner/s : Mr. Ratanakar Jha, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-01-2023 Since both the applications arise out of Laukahi P.S.

Case No. 201 of 2022, as such, they have been taken up together

and are being disposed of by this common order.

Heard learned counsels for the petitioners and learned

APP for the State.

Let the defect (s), if any, as pointed out by the office,



be removed within a period of four weeks.

In the present case, the petitioners seek bail in connection with Laukahi P.S. Case No. 201 of 2022 (G.R. No.659 of 2022) registered for the alleged offences under Sections 272 and 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per prosecution case, the petitioners were found carrying illicit liquor alleged to have brought from Nepal to India. The petitioners were chased and apprehended. Recovery of 132 liters of country made Nepali liquor was made from the bags thrown by the petitioners.

Learned counsels for the petitioners submit that the petitioners have been falsely implicated in this case and nothing incriminating has been recovered from their conscious possession. It is evident from the F.I.R. that no recovery has been made from the petitioners and they were apprehended merely on suspicion. The petitioners are in custody since 04.08.2022 and charge-sheet has been submitted. The petitioners have got no criminal history.

Learned APPs for the State oppose the prayer for bail.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the



clean antecedent of the petitioners along with period of custody of the petitioner and submission of charge sheet, the petitioners above named are directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act, Jhanjharpur, District-Madhubani, in connection with Laukahi P.S. Case No. 201 of 2022 (G.R. No.659 of 2022), subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Ashish/-

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

