

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70772 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- MANIYARI District- Muzaffarpur

1. Sonu Kumar Son Of Rajendra Sahni Resident Of Village- Mahanth Maniyari, Kasimpur, Ps- Maniyari, Distt- Muzaffarpur
2. Rajendra Sahni Son Of Pavitra Sahni Resident Of Village- Mahanth Maniyari, Kasimpur, Ps- Maniyari, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-11-2023 Heard Mr. Mrityunjay Kumar, learned counsel for the petitioners and Mr. Dilip Kumar No. 1, 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, 2022.

3. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 50.310 liters of foreign liquor is said to have recovered from petitioners' Bathroom. He submits that both the petitioners are son and father. He further



submits that the said bathroom is for the use of public and any one can easily access to the said bathroom. The petitioners have no criminal antecedent as stated in para-3 of the bail application.

4. Petitioners are agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) **each** in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, 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 Maniyari P.S. Case No.252 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to



who he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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)

anand/-

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