

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72192 of 2023**

Arising Out of PS. Case No.-167 Year-2023 Thana- AMBA District- Aurangabad

1. Savita Devi @ Sobha Devi W/O Santosh Ram Resident Of Village - Shantipur, P.S.- Jamhor, Distt.- Aurangabad.
2. Vicky Kumar Son Of Munna Ram @ Santosh Ram Resident Of Village - Shantipur, P.S.- Jamhor, Distt.- Aurangabad.
3. Amar Kumar Son Of Upendra Singh Resident Of Village - Dudhaila, , P.S.- Jamhor, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |   |                                                                 |
|----------------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s       | : | Mr. Krishna Prasad Singh, Sr. Adv.<br>Mr. Bhaskar Shankar, Adv. |
| For the Opposite Party/s : |   | Mr. Anand Kishore Choudhary, APP                                |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      29-11-2023                      Heard learned Senior Counsel for the petitioners and  
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 279, 337, 338 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

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 12.24 liters of country made liquor is said to have recovered from the two motorcycles. He



submits that petitioner no. 1 is the owner of the motorcycle and petitioner no. 2 is the son of petitioner no. 1 and petitioner no. 3 is her relative. 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 Amba P.S. Case No.167 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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