

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77558 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. SANJAY CHOUDHARY @ SANJAY KUMAR S/O HARI RAM CHAUDHARI VILLAGE- VISHAHAR ASTHAN MANJHAUL, PS. CHERIYA BARIYARPUR (MANJHAUL O.P.), DIST. BEGUSARAI
 2. MUKESH SADA S/O RAMASHISH SADA VILLAGE- VISHAHAR ASTHAN MANJHAUL, PS. CHERIYA BARIYARPUR (MANJHAUL O.P.), DIST. BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bambam Kumar, Adv.
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2023 Heard learned 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 188, 290 of the Indian Penal Code and 30 (a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Altogether, 30 litres of country made liquor has been recovered from the seized motorcycle. After seeing the police, all the accused persons fled away.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have been falsely implicated in this case at the instance of their enemy. They were not apprehended on the spot. They had not consumed liquor. They have been falsely implicated in the present case merely on suspicion. Petitioner no.1 has two criminal antecedents of similar nature that of the present case, whereas petitioner no.2 has no criminal antecedent, as mentioned in para-3 of this application.

5. Petitioners are agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) and Rs. 10,000/- (Rupees Ten Thousand), respectively in account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Having regard to the facts and circumstances of the case, 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 learned Court below where the case is pending/successor Court in connection with Cheriya Bariyarpur (Manjhaul O.P.) P.S. Case No. 84 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) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

7. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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