

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77293 of 2023

Arising Out of PS. Case No.-468 Year-2023 Thana- NAUBATPUR District- Patna

1. Ranjay Sharma Son Of Late Madheshwar Sharma @ Rajendra Sharma
Resident Of Village - Motipur, P.S. - Naubatpur, District - Patna
2. Shubham Kumar Son Of Ranjay Sharma Resident Of Village - Motipur, P.S.
- Naubatpur, District - Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Bijpuria

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners has filed a
supplementary affidavit in the present case in the Court. Let it
be kept on record.

3. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 30 (a), 38
of the Bihar Prohibition and Excise Act.

4. 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 42.780 liters of foreign made



liquor is said to have recovered from the Poultry Farm of the petitioner no. 1. He submits that the petitioner no. 2 is son of petitioner no. 1. He further submits that nothing has been recovered from the poultry farm and the recovery and seizure was concocted because the persons assembled were not ready to become witnesses. The petitioners have no criminal antecedent as stated in para-3 of the bail application.

5. Petitioners are agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) **each** in Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

6. 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 Naubatpur P.S. Case No.468 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.

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 the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

anand/-

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