

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1356 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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RAJ NANDAN KUMAR @ RAJA @ RAJA KUMAR @ RAJNANDAN Son
of Ram Gulam Singh Resident of Village- Chandauli, Ward No.- 5, P.S.-
Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 2234 of 2023

Arising Out of PS. Case No.-331 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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SINTU JHA @ SINTU KUMAR SON OF MUNNA JHA R/O VILLAGE-
RUPNARAYAN BELA (CHAKHAJI), P.S.- SAMASTIPUR MUFFASIL,
DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 1356 of 2023)

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mrs. Asha Kumari

(In CRIMINAL MISCELLANEOUS No. 2234 of 2023)

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 As both these bail applications have cropped up from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common

order.

Heard learned counsel for the petitioners and learned



A.P.P. for the State through virtual Court proceedings.

The petitioners apprehend their arrest in a case registered for the offences punishable u/s 30 (a) of Bihar Prohibition and Excise Act.

Altogether 252.720 liters of illicit liquor is said to have been recovered from a truck. Three persons were apprehended on the spot and they disclosed the name of the petitioners.

It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or any trade of liquor. They have been falsely implicated in this case at the instance of his enemy. They were not apprehended on the spot and their name transpired in the case only on the basis confessional statement of apprehended co-accused persons. He further submits that the petitioners have no concern with the alleged truck from which the recovery has been made. Petitioners have no criminal antecedent.

Petitioners are agreed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand) **each** in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN



0000691, SWIFT Code: SBININBB104, State Bank of India,
New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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 Excise P.S. Case No.331 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

(i) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.



The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of aforesaid in the PM Cares fund.

(Anjani Kumar Sharan, J)

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