

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77943 of 2023

Arising Out of PS. Case No.-463 Year-2023 Thana- MADHAURAH District- Saran

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1. Daharu Nut @ Daharu Nat Son Of Late Saral Nat Resident Of Village- Wajit Bhoraha, Ps- Marhowrah, Distt- Saran
 2. Mantu Nut Son Of Daharu Nut @ Daharu Nut Resident Of Village- Wajit Bhoraha, Ps- Marhowrah, Distt- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avnish Kumar Singh

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 Heard learned counsel for the petitioners and learned
APP 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, 2018.

3. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 90 litres of country made liquor is said to have been recovered from a railway bridge. 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 are not specific rather



general and omnibus in nature. Petitioner no. 1 has one criminal antecedent in which he is on bail and petitioner no. 2 has two criminal antecedents in which he is on bail.

4. Petitioner no. 1 is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan whereas petitioner no. 2 is agreed to deposit Rs. 20,000/- (Rupees Twenty Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, Central Bank of India, Chitkohra Branch, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code : 800016018.

5. 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, 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 Marhowrah P.S. Case No. 463 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:-

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(ii) The petitioners will not indulge themselves in any similar offence till conclusion of the trial.

6. The bail bond of the petitioners will be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

Ranjeet/-

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