

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72512 of 2022

Arising Out of PS. Case No.-287 Year-2020 Thana- WARISNAGAR District- Samastipur

SANJAY KUMAR @ SANJAY PASI S/o Ramdeo Mahto R/o Village-
Masina, P.S.- Khanpur, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 74966 of 2022

Arising Out of PS. Case No.-287 Year-2020 Thana- WARISNAGAR District- Samastipur

ANIL KUMAR SON OF PALTAN MAHTO R/O VILLAGE-
CHAWAKHAR, TOLA DEKARI, P.S.- KHANPUR, DISTRICT-
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 75212 of 2022

Arising Out of PS. Case No.-287 Year-2020 Thana- WARISNAGAR District- Samastipur

VIJAY MAHTO @ VIJAY KUMAR Son of Ram Prasad Mahto R/v-
Chawakhar, P.S.- Khanpur, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 72512 of 2022)

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP.

(In CRIMINAL MISCELLANEOUS No. 74966 of 2022)

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar, APP.

(In CRIMINAL MISCELLANEOUS No. 75212 of 2022)

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP.



CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-03-2023 As all 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 the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 467, 468, 471, 120(B) of the Indian Penal Code and Sections 41 (1), 36 and 30 (a) of the Bihar Prohibition and Excise Act.

Altogether 3104.25 liters illicit liquor has been recovered from the truck. The apprehended co-accused persons disclosed the name of the petitioners.

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. They have no concern with the seized liquor. They have no concern either with the seized liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case at the instance of the confessional statement of the apprehended co-accused. Petitioner Sanjay Kumar has four criminal antecedents where as



petitioner Vijay Mahto has one criminal antecedent. Petitioner Anil Kumar has no criminal antecedent as mentioned in para-3 of this application.

Petitioners Sanjay Kumar, Anil Kumar and Vijay Mahto are agreed to deposit a sum of Rs.2,00,000.00 (Rupees Two Lacs), Rs. 50,000.00/- (Rupees Five Thousand), Rs. 1,00,000.00/- (Rupees One Lac), respectively in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

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 the learned Court below where the case is pending/successor Court in connection with Warisnagar P.S. Case No.287 of 2020, 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 their own blood relative,



preferably, father, mother, brother, sister and/or his wife.

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

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)

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