

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78687 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- MADHAURAH District- Saran

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1. Sonu Nut Son Of Daharu Nut Resident Of Village- Mirajapur Wajit
Bhoraha, Ps- Marhowrah, Distt- Saran
 2. Mantu Nut Son Of Daharu Nut Resident Of Village- Mirajapur 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, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in a
case registered for the offences punishable under Section 30(A)
of the Bihar Prohibition and Excise Act.

3. 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 10 liters of country made
liquor is said to have recovered from the hut of the petitioner.
He further submits that allegation against the petitioners is that
they along with other co-accused managed to ran away from the
place of occurrence. He submits that the said hut does not



belong to the petitioner. He further submits that there is no recovery made from the conscious possession of the petitioners. He submits that petitioner no.1 has got no criminal antecedent and petitioner no.2 has got two criminal antecedents as stated in para-3 of the bail application.

4. Petitioner no.1 is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) and petitioner no.2 is agreed to deposit a sum of Rs. 15,000 (Rupees Fifteen Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central Bank of India, Chitkohra Branch.

5. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioners, let the above named petitioners, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds 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 Marhowrah P.S. Case No. 04 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:



(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 himself in any similar offence till conclusion of the trial.

6. The bail bonds of the petitioners shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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