

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1856 of 2023

Arising Out of PS. Case No.-81 Year-2022 Thana- MEHUSH District- Sheikhpura

1. RAMPARVESH THAKUR Son of Kailash Thakur R/V- Lakha, P.S- Shambhuganj, Dist- Banka
2. Suraj Kumar Yadav Son of Shivnandan Prasad R/V- Bela, P.S- Fulidumar, Dist- Banka
3. Md. Vakil Ahmad @ Wakil Ahmad Son of Md Tayyab Ali R/V- Bansitkar near Masjid P.S- Jichho Sardho Dist- bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Rajdeep, Adv.
For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard the parties through virtual mode.

Petitioners apprehend their arrest in connection with a case registered for the offence punishable under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

Altogether 600 ml of foreign liquor is said to have been recovered from a car and petitioners are alleged to have fled away from the car.

Learned counsel for the petitioners submits that petitioners are quite innocent and have not committed any offence as alleged in the FIR. They have been falsely implicated in this case due to ulterior motive. Petitioners have not been



apprehended on the spot and have been made accused in the case on the basis of disclosure of their name by the local people that they were the person who fled away from spot on seeing the police. No incriminating article has been recovered from their conscious physical possession. Petitioners have no concern either with the seized liquor or any trade of liquor. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioners are agreed to deposit a sum of Rs.10,000.00 (Rupees Ten 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 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 learned Court below, where the case is pending/Successor court, in connection with Mehush P.S. Case No.81 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 the aforesaid amount in the PM Cares fund.

(Anjani Kumar Sharan, J)

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