

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79437 of 2023

Arising Out of PS. Case No.-229 Year-2023 Thana- AMAUR District- Purnia

1. Mustafa S/O- Zafar Khan Alias Md. Zafar Village- Baghua Kola Ps- Amour Dist- Purnea
2. Shoukant Son Of Zofar Khan @ Md. Zafar Village- Baghua Kola Ps- Amour Dist- Purnea
3. Laloo Kumar Son Of Sbhushan Chauhan Village- Baghua Kola Ps- Amour Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-12-2023 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 52.590 liters of foreign liquor is said to have been recovered from the car. Petitioners have no concern either



with the seized liquor or the place of recovery or any trade of liquor. He submits that the villagers disclosed the name of the petitioners. He further submits that the petitioner nos. 1 and 2 have three criminal antecedent and petitioner no. 3 has one criminal antecedent as mentioned in para-3 of this application.

4. Petitioner nos. 1 and 2 are agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) each and petitioner no. 3 is agreed to deposit a sum of Rs. 10,000/- (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, Patna, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

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 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 Amour P.S. Case No. 229 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 their own blood relative, preferably, father, mother, brother, sister and/or their wife.

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

6. 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 Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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