

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82426 of 2023

Arising Out of PS. Case No.-515 Year-2019 Thana- GARKHA District- Saran

1. SAHDEV KUMAR @ SAHEDO RAI @ SAHDEV RAI S/O NAND RAI VILLAGE- JILKABAD PIRARI, PS. GARKHA, DIST. SARAN AT CHAPRA
2. MANOJ KUMAR RAI @MANOJ RAI @ MANOJ KUMAR S/O DHANESHWAR RAI VILLAGE- JILKABAD PIRARI, PS. GARKHA, DIST. SARAN AT CHAPRA
3. TUFANI KUMAR S/O RAJBALABH RAI VILLAGE- JILKABAD PIRARI, PS. GARKHA, DIST. SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.
For the Opposite Party/s : Mr.Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2023 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 Section 30(a) of the Bihar Prohibition & Excise Act.

3. Allegedly, 20 litres of illicit liquor has been recovered near Chhalaka Bridge. Seeing the police, all the accused persons fled away from the spot.

4. 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 either with the seized liquor or any trade of liquor. The allegation levelled against the petitioners is general and omnibus in nature. They were not apprehended on the spot. They had not consumed liquor. Their name have been transpired in the present case on the disclosure of local people. Petitioner nos. 1 & 2 have no criminal antecedent, whereas petitioner no.3 has one criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner nos. 1 & 2 are agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) each, whereas petitioner no.3 is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. 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 Garkha P.S. Case No. 515 of 2019, 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 his own blood relative, preferably, father, mother, brother, sister and/or his wife.

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

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

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

