

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54317 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Bipin Rajbhar @ Bipin Kumar Son of Bhola Rajbhar Resident of village - Ramgarh, P.S.- Chainpur, District - Kaimur at Bhabua
2. Jeetu Rajbhar @ Jeetu Kumar Son of Bhola Rajbhar Resident of village - Ramgarh, P.S.- Chainpur, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2024 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 u/s 30 (a) of Bihar Prohibition and Excise (Amendment) Act.

3. Altogether 54 liters of country made liquor is said to have been recovered from a motorcycle and it is alleged that petitioners fled away on seeing the police.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. 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. They were not apprehended on the spot and their name transpired in the case on the disclosure of the chaukidar. The said motorcycle does not belongs to the petitioners. Petitioners have no criminal antecedent.

5. Petitioners are agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) each in the 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 eight 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 Chainpur P.S. Case No.132 of 2024, 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.

(ii) 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.

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

8. However, learned Court below is directed to verify the criminal antecedent of the petitioners, before accepting their bail bonds and if it is found that they have criminal antecedent, apart from the present case, the bail bonds of the concerned petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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