

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57286 of 2024

Arising Out of PS. Case No.-259 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. SHYAM SUNDAR SINGH SON OF HANUMAN SINGH RESIDENT OF VILLAGE - ASANI, POLICE STATION - UDWANTNAGAR, DISTRICT - BHOJPUR
2. PRADEEP SINGH @ PRADEEP KUMAR SINGH SON OF SHRI BHAGWAN SINGH RESIDENT OF VILLAGE - ASANI, POLICE STATION - UDWANTNAGAR, DISTRICT - BHOJPUR
3. ANAND KUMAR SON OF SATRUDHAN SINGH RESIDENT OF VILLAGE - ASANI, POLICE STATION - UDWANTNAGAR, DISTRICT - BHOJPUR

... .. Petitioners.

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-09-2024 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 under Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 112 liters of country made liquor is said to have been recovered, which was concealed in sand in front of Girls School. Petitioners have no concern either with the seized



liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. The place of recovery is an open place and easily accessible to anyone. Petitioners have been falsely implicated in this case at the instance of the Police. Petitioner nos.1 and 2 have no criminal antecedent, whereas petitioner no.3 has one criminal antecedent of similar nature of the offence, as mentioned in para-3 of this application.

4. Petitioner nos.1 and 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/- (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code :800016018.

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 Udwanthnagar P.S. Case No. 259 of 2024,
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.

(Anjani Kumar Sharan, J)

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