

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65294 of 2024

Arising Out of PS. Case No.-129 Year-2024 Thana- KISHANPUR District- Supaul

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1. Sadanand Kamat Son of Jogindra Kamat @ Joga Kamat Resident of Village- Bahuarwa, Ward No. 11, P.S.- Kishanpur, Distt- Supaul
 2. Asha Devi Wife of Sadanand Kamat Resident of Village- Bahuarwa, Ward No. 11, P.S.- Kishanpur, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard Mr. Pramaod Mishra, learned counsel for the
petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Kishanpur P.S. Case No. 129 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, lodged on 28.05.2024 by the informant, Abhishek Kumar.

3. As per the prosecution story, the informant alleged that upon information that the couple has brought consignment of liquor, raid took place and 4.8 litre Nepali made liquor has been recovered/seized. One Manoj Kumar was apprehended, who gave the name of these petitioners as his sister and brother



in law. Accordingly the F.I.R.

4. Learned counsel for the petitioners submits that the alleged recovery is made from the house and admittedly, Manoj Kumar was apprehended along with the liquor and only because the house belongs to the couple, implicated. They were not even present there.

5. Learned APP points out that the couple has criminal antecedent.

6. Though there is criminal antecedent, admittedly, it has been recovered from Manoj Kumar, they will be ultimately facing the trial, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge Excise, Excise Court-I-Supaul, in connection with Kishanpur P.S. Case No. 129 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ankit Kumar/-

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