

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69884 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- Excise P.S. District- Rohtas

1. Chandan kumar @ Chhotu S/O Keshow Paswan R/O Village- Jayshree, P.S- Karakat (Gorari), Distt.- Rohtas.
2. Munna Kumar S/O Satyanarayan Chaudhary @ Satan Chaudhary R/O Village- Jayshree, P.S- Karakat (Gorari), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Kumar Sinha, Adv. Mr.Ajay Kumar Prasad, Adv.
For the State	:	Mr.Dinesh Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 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 Act.

3. Altogether 28.620 liters of foreign liquor is said to have been recovered from the spot and it is alleged that petitioner no.1, who fled away on seeing the police was carrying the illicit liquor and the same was supplied to him by the petitioner no.2.

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 merely on suspicion. The place of recovery does not belong to the petitioners. Petitioners have two criminal antecedent in similar nature of offence.

5. Petitioners are agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen 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 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 Bikramganj Excise P.S. Case No.108 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 petitioners, who will give an affidavit giving genealogy as to how he is related with the respective petitioners. They will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioners are 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.

(Anjani Kumar Sharan, J)

pallavi/-

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

