

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77642 of 2024

Arising Out of PS. Case No.-866 Year-2023 Thana- PATLIPUTRA District- Patna

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1. Shubham Kumar Son of Govind Mahto Resident of village-Nashriganj, Devi Asthan, P.O.- Digha, Danapur cum Khagaul, P.S.-Digha , Distt.- Patna
 2. Kiran Devi wife of Govind Mahto Resident of village-Nashriganj, Devi Asthan, P.O.- Digha, Danapur cum Khagaul, P.S.-Digha , Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Roshan Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-11-2024 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), 41(1) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Altogether 3.750 liters of English liquor is said to have been recovered from the scooty.

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 only on the basis of suspicion. They were not apprehended on the spot and their name transpired in the case on suspicion. Petitioners



have no criminal antecedent.

5. Petitioners are agreed to deposit a sum of Rs. 5,000/- (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 his 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 Patliputra P.S. Case No. 866 of 2023, 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 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)

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