

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77151 of 2024

Arising Out of PS. Case No.-868 Year-2024 Thana- MAHUA District- Vaishali

1. Indrajeet Singh S/O Munilal Singh R/O Village- Padayee/Chakamjahid, P.S.- Mahua, District- Vaishali
2. Bachaa Babu @ Sushil Kumar Bhagat S/O Ramanand Bhagat R/O Village- Padayee/Chakamjahid, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra Ojha, Advocate

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 under Sections 274, 275, 317 (5), 318 (4), 338 and 3 (5) of the Bharatiya Nyaya Sanhita and Sections 30 (a), 32 (1) and 41 (1) of the Bihar Prohibition and Excise (Amended) Act, 2018.

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 397.44 liters of foreign liquor is said to have been recovered from the two vehicles. 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. Petitioners have been falsely implicated in this case at the instance of their enemy. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

4. Petitioners are agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) **each** 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 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 Mahua P.S. Case No. 5104010240868 of 2024, subject to the condition as laid down under 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to



the further conditions that

(i) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his 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.

7. The court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no.3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no.3, this order will loose its force automatically.

(Anjani Kumar Sharan, J)

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