

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79981 of 2024

Arising Out of PS. Case No.-1724 Year-2024 Thana- Excise P.S. District- Muzaffarpur

1. Dhiraj Chaudhary @ Niraj Kumar @ Dhiraj Kumar @ Niraj Son of Jainath Choudhary Resident of Village - Repura Mahadev, P.S. - Paroo, District - Muzaffarpur
2. Pankaj Chaudhary @ Pankaj Kumar Son of Jainath Choudhary Resident of Village - Repura Mahadev, P.S. - Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-12-2024 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), 32 (3) of the Bihar Prohibition and Excise (Amendment) Act, 2018/2022.

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 1665.00 liters of foreign liquor is said to have been recovered from a truck. The petitioners managed to escape from the place of occurrence. They have no concern either with the seized



liquor or the place of recovery or any trade of liquor. They have been falsely implicated in this case at the instance of their enemy. Petitioners have one criminal antecedent of similar nature of the offence as mentioned in para-3 of this application.

4. Petitioners are agreed to deposit a sum of Rs.50,000.00 (Rupees Fifty 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 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 the learned Court below where the case is pending/successor Court in connection with Excise P.S. Muzaffarpur Case No.1724 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 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.

(Anjani Kumar Sharan, J)

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