

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84833 of 2023

Arising Out of PS. Case No.-453 Year-2023 Thana- MASHRAK District- Saran

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1. SONU KUMAR @ SONU KUMAR SINGH S/O SRI BHAGWAN SINGH
RESIDENT OF VILLAGE- PAKRI, P.S.- MASHRAKH, DISTRICT-
CHAPRA
 2. DEEPAK TIWARY @ ANAND KUMAR S/O SRI KEDAR TIWARY
RESIDENT OF VILLAGE- PAKRI, P.S.- MASHRAKH, DISTRICT-
CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1, Adv.
For the Opposite Party/s : Mr.Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-01-2024 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 30/30(a) of the Bihar Prohibition & Excise Amendment Act.

3. Altogether 91.760 of foreign liquor has been recovered from the seized Swift car. Seeing the police party, five persons fled away from the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioners. They have no



concern either with the seized liquor or seized vehicle or any trade of liquor. The allegation levelled against the petitioners is general and omnibus in nature. They were not apprehended on the spot. They had not consumed liquor. Their name has been transpired in the present case merely on the basis of the statements of the assembled persons. Petitioners have no criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioners are agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) each in 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 Mashrakh P.S. Case No. 453 of 2023, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C, subject to the further conditions that

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

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

7. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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