

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84199 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- BELSAND District- Sitamarhi

1. Harendra Pratap Singh @ Vikash Kumar Singh S/o Late Radha Raman Singh Resident of Village- Belsand, P.S.- Belsand, District- Sitamarhi, Presently Residing at vill - Chak Mohabbat, Ahyiapur, P.S.- Ahyiapur, Distt.- Muzaffarpur
2. Nalin Pratap Singh S/o Late Radha Raman Singh R/o vill - Belsand, P.S - Belsand, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar
For the Opposite Party/s : Mr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-12-2024 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) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 180 ml of country made liquor is said to have recovered from the motorcycle. He submits that the seized motorcycle belongs to petitioner no. 2. the petitioner no. 1 is brother of petitioner no. 2. He further



submits that petitioners have one criminal antecedent as stated in para-3 of the bail application.

4. Petitioner are agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) **each** in Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, 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 Belsand P.S. Case No.123 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) 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. He will also undertake to inform the Court if there is any change in the address of the



petitioners.

(2) That 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 after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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, Patna.

(Anjani Kumar Sharan, J)

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