

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84102 of 2023

Arising Out of PS. Case No.-246 Year-2018 Thana- BENIPATTI District- Madhubani

1. Ajay Kumar @ Ajay Yadav Son Of Chalitar Yadav R/O Village- Manpur, P.S.- Benipatti, Dist.- Madhubani
2. Krishna Mohan Yadav @ Krishna Mohan Prasad Yadav Son Of Panchu Yadav R/O Village- Manpur, P.S.- Benipatti, Dist.- Madhubani
3. Manoj Yadav Son Of Bouyalal Yadav R/O Village- Manpur, P.S.- Benipatti, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 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 Section 30 (a) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that no incriminating article has been recovered from the conscious physical possession of the petitioners rather 69 liters of Nepali country made liquor is said to have been recovered from the place of occurrence. He submits that the local Chowkidar disclosed the name of the



petitioners. 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, Patna, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

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 learned Court below where the case is pending/successor Court in connection with Benipatti P.S. Case No. 246 of 2018, 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 their 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, Patna.

(Anjani Kumar Sharan, J)

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