

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84154 of 2024

Arising Out of PS. Case No.-388 Year-2024 Thana- GHORASAHAN District- East
Champaran

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1. Vicky Kumar @ Bikki Kumar Son of Mohan Raut @ Mohan Sah Resident of Village - Amwa (Amaba), P.S. - Ghorasahan, District - East Champaran, Motihari
 2. Sandeep Kumar Son of Harichandra Prasad Kushwaha Resident of Village - Lala Tola, Laukhan, P.S. - Ghorasahan, District - East Champaran, Motihari
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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 Sections 112, 317(5) of the Bharatiya Nyaya Sanhita and Sections 30 (a), 41(1) 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 369 liters of Nepali liquor is said to have been recovered from the three motorcycle. He submits that the name of the petitioner has been transpired on the basis of disclosure made



by the co-accused. He further submits that the petitioner no. 1 has two criminal antecedents and petitioner no. 2 has no criminal antecedents as mentioned in para-3 of this application.

4. Petitioner no. 1 is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) and petitioner no. 2 is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) 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 Ghorasahan P.S. Case No. 388 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S, 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 wives.
- (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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