

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87136 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- BARHARA District- Bhojpur

1. Krishna Choudhary S/O Butan Choudhary R/O Village- Babura, P.S-
Barhara, District- Bhojpur.
2. Durga Choudhary S/O Butan Choudhary R/O Village- Babura, P.S- Barhara,
District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2024

Heard learned counsel for the parties.

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 110 liters of country made liquor is said to have been recovered from the place of occurrence. He submits that the local Choukidar disclosed the name of the petitioners. He submits that the petitioner no. 1 has one criminal antecedent and petitioner no. 2 has two criminal antecedents as mentioned in para-3 of this application.

4. Petitioner no. 1 is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) and petitioner no. 2 is agreed to deposit a sum of Rs.15,000.00 (Rupees Fifteen Thousand) the account of Lawyer's Association Welfare Benevolent Fund, bearing



Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank,
LNMI Branch, Bailey Road, 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 Barhara P.S. Case No. 315 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S.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 Lawyer’s Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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