

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85836 of 2024

Arising Out of PS. Case No.-190 Year-2024 Thana- KISHANPUR District- Supaul

1. Trideep Ram @ Tridip Ram S/O Shivjee Ram @ Shivji Ram Resident of Village- Kamaldha, Ward No.-08, P.S- Kishnapur, District- Supaul.
2. Sunita Devi W/O Trideep Ram R/O Village- Kamaldha, Ward No. 08, P.S- Kishanpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyam Anand, Adv.
For the Opposite Party/s : Mr. Suresh Prasad Singh, APP.

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. Altogether 36 litres of illicit Nepali liquor has been recovered from a Tata Sumo Gold Car bearing registration No. BR11V7974.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No incriminating article has been recovered from the conscious possession of the petitioners or from their house. They have no concern either with the seized liquor or the place of recovery or



any trade of liquor. The allegation levelled against the petitioners is totally false and based on concocted facts. They were not apprehended on the spot. Petitioner no.2 is the registered owner of the seized vehicle which is often used for commercial purpose and therefore, she had no knowledge of keeping of the said liquor in her vehicle. The name of petitioner no.1 has been transpired in the present case merely because he is husband of petitioner no.2. Learned counsel further submits that petitioner no.1 has one criminal antecedent, whereas petitioner no.2 has 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) and Rs. 5,000.00/-, (Rupees Five Thousand), respectively 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 Kishanpur P.S. Case No. 190 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, 2023, subject to the further conditions that

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his 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.

7. The bail bonds 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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