

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86647 of 2024

Arising Out of PS. Case No.-228 Year-2024 Thana- RAHIKA District- Madhubani

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1. Ghuran Ram S/o Late Nannu Ram RESIDENT OF VILLAGE- Rahika, P.S- Rahika, DISTRICT- MADHUBANI
 2. Suresh Ram S/o Ghuran Ram RESIDENT OF VILLAGE- Rahika, P.S- Rahika, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2025 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 u/s 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. Altogether 6 liters of illicit country made Nepali liquor is said to have been recovered from outside the back main gate of the petitioners.

4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics. No incriminating article has been



recovered from the conscious physical possession of the petitioners. They have no concern either with the seized liquor or any trade of liquor. They were not apprehended on the spot and have been accused in this case on the basis of disclosure made by local chowkidar. It is also submitted that recovery has been made from an open area which is accessible to all. Petitioners have one criminal antecedent in similar nature of offence 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) each in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, 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 Rahika P.S. Case No.228 of 2024 corresponding to G.R. No.1478 of 2024, subject to the



condition as laid down under Section 482 (2) of BNSS, 2023,
with the following conditions:

(i) 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.

(ii) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

7. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of aforesaid amount in the account of Lawyers' Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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