

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11945 of 2021**

Arising Out of PS. Case No.-240 Year-2020 Thana- BARHARIA District- Siwan

RAKESH RAM @RAKESH KUMAR Son of Late Daroga Ram Resident of
Village - Barharia, P.s.- Barharia, Dist.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Kumari Anupam
For the Opposite Party/s : Mrs. Meena Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 10-12-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks. In the eventuality of non-
removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272, 273
& 34 of the Indian Penal Code and Section 30 (a) & 41 (1) of
the Bihar Prohibition and Excise Act, 2016.

362.800 liters of foreign liquor is said to have
been recovered from two different vehicles.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the



conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case on the confessional statement of co-accused. Petitioner has two criminal antecedents of similar nature of offence.

Petitioner is agreed to deposit a sum of Rs.50,000.00 (Rupees Fifty Thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his 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) 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 Barhariya P.S. Case No. 240 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.



(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.50,000.00 (Rupees Fifty Thousand) in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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