

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15181 of 2021**

Arising Out of PS. Case No.-683 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

NARESH SHARMA S/o Sitaram Thakur R/o village- Panapur Langa, P.S.-
Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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

2 04-08-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 683 of 2020, registered for the offence punishable under Sections 30(a), 36/41(i) of the Bihar Prohibition and Excise Act.

Altogether 1291.9 liters of India made foreign liquor is said to have been recovered from the goat farm of one Lalbabu Rai and from hut of Manoj Rai. It is alleged that the petitioner is a member of the said syndicate and fled away from the place of occurrence on witnessing the police.

Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No such occurrence has ever



taken place and no incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or place of recovery or any trade of liquor. He has been falsely implicated in this case on suspicion. He has not been apprehended on the spot but his name transpired in this case due to dirty village politics. The alleged liquor was recovered from the farm and hut of other co-accused. Petitioner has three criminal antecedent and has been languishing in custody since 30.10.2020.

Petitioner is agreed to deposit a sum of Rs. 20,000.00 (Rupees Twenty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

Having regard to the facts and circumstances of case, let the above named petitioner, be released on bail, 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 Additional Sessions Judge-II -cum- Excise Court, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 683 of 2020, with the following conditions:-



(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial, failing which, his bail bonds shall be liable to be cancelled by the learned court concerned.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000.00 (Rupees Twenty Thousand) in the PM Cares fund.

(Anjani Kumar Sharan, J)

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