

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24970 of 2021

Arising Out of PS. Case No.-759 Year-2020 Thana- DANAPUR District- Patna

Sumit Kumar S/O Akhilesh Kumar R/O Village-Sonawan, Simli Murarpur,
Patna City, P.S-Didarganj, District-Patna, Bihar 800008.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Apurv Harsh, Adv. Mr. Manu Tripurari, Adv. Mr. Sujit Kumar, Adv. Mr. Sunny Kumar, Adv.
For the Opposite Party/s :	Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

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

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 272, 273/34 of the Indian Penal Code and Section 30(a), 37(b) of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious



possession of the petitioner rather 750ml of foreign liquor is said to have been recovered from the car which belongs to the petitioner. He submits that petitioner was approached by Mr. Badri Nath Choudhary who asked for the petitioner's car along with him for taking her ill mother to the Doctor. He submits that petitioner was informed by the offender's brother on the very next morning that his car has been seized by the police along with one bottle of liquor. He submits that at the time of alleged occurrence, petitioner was not present in the case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna.

Considering the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged 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 the learned court below where the case is pending/successor court in connection with Danapur P.S. Case No. 759 of 2020, subject to the



condition as laid down under Section 438 (2) of the Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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