

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24452 of 2021**

Arising Out of PS. Case No.-359 Year-2020 Thana- SAKRA District- Muzaffarpur

HARE KRISHNA @ HARE KRISHAN NIRALA @ KRISHNA RAI SON
OF AJAY KUMAR RAI @ AJAY RAI R/O VILLAGE- PIPRA (CHOCK),
P.S.- SAKARA, DISTRICT- MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajendra Nath Pandey, Adv.

For the Opposite Party/s : Mr.Dr.Kumar Uday Pratap, APP

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

2 05-07-2021 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, as pointed out by the office, within four weeks of
resumption of normal court proceeding. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner seeks bail in connection with Sakra P.S.
Case No.359 of 2020, registered for the offence punishable
under Section 30(a)/35 of Bihar Prohibition and Excise Act,
2016.

Altogether 1208 liters of foreign liquor is said to have
been recovered from Samastipur Ward No.1 near the PACs



building outside the road. It is alleged that the seized liquor were brought by petitioner and two other accused persons and they intended to sell it to another trader.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the F.I.R. He has been falsely implicated in this case due to ill motive. It is further submitted 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 not been arrested on the spot. He is no way connected with PACs godown which is the alleged place of recovery. Petitioner has four criminal antecedent of similar nature and has been languishing in custody since 09.01.2021.

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 Special Judge, Excise, Muzaffarpur, in connection with Sakra P.S. Case No.359 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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