

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24982 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- MALSALAMI District- Patna

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KRISHNA RAY Son of Ramdev Ray R/o- Sukumarpur, P.S.- Raghapur, Dist. - Vaishali, A/P - Nurdiganj, P.S. - Malsalami, Dist. - Patna. (Owner of TVS apache motorcycle bearing Engine No. - AE8NL200510 and Chassis No. - MD634AE84L2N07894)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar

For the Opposite Party/s : Mr.APP.

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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 Section 30(a) 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 50 liters of country made liquor is said to have been recovered from the motorcycle which does not belong to the petitioner. 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. 30,000.00 (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee, Patna.

Considering the facts and circumstances of the case and the fact that there is no recovery from the conscious possession of the petitioner, 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 Malsalami P.S. Case No. 38 of 2021, 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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