

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26099 of 2021**

Arising Out of PS. Case No.-769 Year-2020 Thana- SARAIYA District- Muzaffarpur

UMESH RAI S/o Basudeo Rai R/o village- Basantpur Patti, P.S.- Saraiya,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate. Mr. Shashi Bhushan Singh, Advocate.
For the Opposite Party/s	:	Mrs. Pushpa Sinha, APP

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

2 15-12-2021 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

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.

Learned counsel for the petitioner filed a
supplementary affidavit in Court.

Let it be kept on record.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 279/304A
of the Indian Penal Code and Section 30 (a) of the Bihar
Prohibition and Excise Act, 2018.



It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 150 ml of foreign liquor is said to have been recovered from the vehicle in question. He has no concern either with the seized liquor or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery from the vehicle. He was not present at the place of occurrence. He had no knowledge of keeping of the said liquor in the vehicle. Petitioner has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty 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 Saraiya P.S. Case No.769 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.20,000.00 (Rupees Twenty Thousand) in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

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