

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31428 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- BAHADURGANJ District- Kishanganj

Tinku Kumar @ Pintu S/o Late Bindeshwar Rai @ Late Devendra Rai R/o
Village- Sarariya, P.S.- Lalganj, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Bahadurganj
P.S. Case No.176 of 2020, registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is further submitted that there is no recovery
from the conscious possession of the petitioner rather 4668 litres
of beer was recovered from a truck. The apprehended person
disclosed the name of the petitioner. It is submitted that the
petitioner has got no criminal antecedent as stated in para 3 of
the bail petition.

Learned APP for the State opposed the prayer for



anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.1,50,000/- (rupees one lakh fifty thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFS Code PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

In the facts and circumstances of the case, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of this order, 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 learned Additional Sessions Judge-II, Special Judge (Excise), Kishanganj in connection with Bahadurganj P.S. Case No.176 of 2020, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(3) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.



(4) The bail bond of the petitioner shall be accepted by learned court below on showing receipt of deposit of Rs.1,50,000/- (rupees one lakh fifty thousand) in Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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