

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34426 of 2021**

Arising Out of PS. Case No.-340 Year-2020 Thana- FATUA District- Patna

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Nirmal Kumar @ Nirmal Prasad Son of Late Chandrika Prasad Resident of  
Mohalla - Bharatpur Simli, P.S.- Malsalami, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

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**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.

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.

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 40 liters of country made  
liquor and 400 kg of Gur (Mitha) are said to have been  
recovered from the Tempo. He submits that petitioner is a



businessman and his is selling of Gur as a whole sell and have a registered shop keeper of a business of Gur. He further submits that petitioner has one 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, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, 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 Fatuha P.S. Case No. 340 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)**

devendra/-

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