

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34422 of 2021**

Arising Out of PS. Case No.-90 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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ABHISHEK KUMAR @ PRINCE KUMAR Son of Arun Kumar Yadav
Resident of Village- Bakhtiyarpur Ward No.-06, Malinagar, P.S.-
Chakamehasi, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Mr. H.A. Khan, APP

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

2 21-12-2021 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.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) of
the Bihar Prohibition and Excise Amendment 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 403.56
liters of illegal liquor is said to have been recovered from the



house of the petitioner, which is a joint family property. He has no concern either with the seized liquor or the place of recovery or any trade of liquor. He has been falsely implicated in this case at the instance of his enemy by planting the aforesaid recovery. The house of the petitioner is inhabited by his several family members and he had no knowledge of keeping of the said liquor in the house. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.40,000.00 (Rupees Forty 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 Samastipur Excise Case No. 90 of 2021, 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.40,000.00 (Rupees Forty Thousand) in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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