

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38823 of 2021

Arising Out of PS. Case No.-292 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Aditya Kumar @ Bambam @ Bambam Kumar Son Of Late Vidyanand Singh
Resident Of Village - Balah Pur, P.S.- Nayagaown, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s : Ms. Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-09-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects, as pointed out by the office, within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Muffasil P.S. Case No. 292 of 2021 registered for the offence punishable under Section 120 (B) of the Indian Penal Code and 30 (a) of the Bihar Prohibition and Excise Act.

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 630 liters of illegal foreign liquor



is said to have been recovered from Bolero Pick-up Vehicle bearing registration No. BR 11C 9954. He submits that the petitioner has not concern with the said vehicle. 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 by the police due to suspicion and police has took the signature of the petitioner on blank papers and the same has been prepared as seizure list. Petitioner has one criminal antecedent as has been mentioned in para-3 of the present petition and has been languishing in custody since 23.05.2021.

Petitioner is agreed to deposit a sum of Rs. 20,000/- (Rupees Twenty Thousand) in the Chief Minister's Relief Fund, Bihar bearing Account No.2065104000002257, IFSC Code: IFSC Code: IBKL0002065, IDBI Bank, Kidwaipuri Branch, Patna.

Having regard to the facts and circumstances of case, let the above named petitioner, be released 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 court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 292 of 2021 subject to following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform



the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 20,000/- (Rupees Twenty Thousand) in the Chief Minister’s Relief Fund, Bihar.

(Anjani Kumar Sharan, J)

GAURAV S./-

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