

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39843 of 2021

Arising Out of PS. Case No.-27 Year-2021 Thana- SITAMARHI District- Sitamarhi

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KRISHNA SHARMA @ KISHAN SHARMA S/O Pawan Kumar Sharma
Resident of Village - Old Exchange Road Sitamarhi, P.S. Sitamarhi, Dist. -
Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar,Adv
For the Opposite Party/s : Mr.A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-12-2021 Let the defect (s) be removed within two weeks of

the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 414/34
IPC and 30(a)/36 of the Bihar Prohibition and Excise Act,2018.

Submission is that recovery of liquor is not alleged
from the possession of the petitioner or from the house of the
petitioner. Petitioner's name surfaced in the confessional
statement of co-accused before the police while in police
custody which is no evidence in the eyes of law. Petitioner has
got no criminal antecedent.

Considering lack of direct material against the



petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Sitamarhi P.S.Case No.27 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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