

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7870 of 2021

Arising Out of PS. Case No.-76 Year-2020 Thana- PUPRI District- Sitamarhi

Hira Kumar @ Hira Mandal, Son of Anil Mandal, Resident of Village Jhajhihat @ Jhajhat, P.S. Pupri, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Advocate
For the Opposite Party/s : Mr. Arvind Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in Pupri P.S. Case No.76 of 2020, registered for the offences punishable under Sections 272, 273, 34 of the Indian Penal Code and 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 6.480 litre of illicit wine was recovered from a tempo. It is submitted that the petitioner was co-passenger of the said vehicle and he has got no criminal antecedent.

Learned APP for the State opposed the prayer for



anticipatory bail of the petitioner.

Petitioner is agreed to deposit a sum of Rs.5,000/- (rupees five thousand) in the Chief Minister Relief Fund, Bihar, bearing Account No. 2065104000002257, IFSC IBKL 0002065, IDBI Bank, Kidwaipuri 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-cum-Special Judge, Excise Act, Sitamarhi in connection with Pupri P.S. Case No.76 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.5,000/- (rupees five thousand) in the Chief Minister Relief
Fund Bihar.

(Anjani Kumar Sharan, J.)

Sanjay/-

U		T	
---	--	---	--

