

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25682 of 2022**

Arising Out of PS. Case No.-382 Year-2021 Thana- BODHGAYA District- Gaya

ANIL KUMAR Son of Raj Kumar Yadav Resident of Village - Bhagalpur,
Ward No.- 12, P.S.- Bodh Gaya, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Md. Mushtaque Alam

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

2 26-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

12 litres of can beer was recovered from beside the
Naad situated outside hut near the house of the petitioner.

Learned counsel for the petitioner submits that
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 and petitioner has got
one criminal antecedent as stated in paragraph-3 of the bail
application.

Petitioner is ready to deposit a sum of Rs.10,000/-
(rupees ten thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar,
Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank



Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, 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 learned Exclusive Special Excise Court No.1, Gaya in connection with Bodh-Gaya P.S. Case No.382 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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