

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25671 of 2022

Arising Out of PS. Case No.-437 Year-2021 Thana- PAROO District- Muzaffarpur

ABHISHEK KUMAR Son of Sikendra Ray @ Bigu Roy @ Sikindra Rai
Resident of Village - Chintamanpur, P.S.- Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Kanhaiya Kishore App

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.

35 litres of illicit Desi Chulai liquor has been recovered from the field of Tapeswar Singh. The allegation against the petitioner is that after seeing the police, the petitioner fled away from the place of occurrence and the local Chowkidar disclosed the name 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 no 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 Special Judge, Excise Court No.II, Muzaffarpur in connection with Paroo P.S. Case No.437 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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