

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28866 of 2022**

Arising Out of PS. Case No.-142 Year-2022 Thana- DAUDNAGAR District- Aurangabad

BIJENDRA KUMAR @ BRAJESH KUMAR S/o Late Jitendra Yadav @  
Late Bijendra Yadav R/o village- Thakur Bigaha, P.S.- Daud Nagar, District-  
Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kamlendra Pd. Singh

For the Opposite Party/s : Mr.Pushpa Sinha

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

2      02-09-2022                      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 offences punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

6 litres of illicit country made liquor has been  
recovered from a motorcycle. Allegation against the petitioner is  
that after seeing the police, the petitioner fled away from the  
place of occurrence leaving the motorcycle.

Learned counsel for the petitioner submits that  
petitioner is innocent and has falsely been implicated in the  
present case. It is further submitted that the petitioner has got  
one criminal antecedent of similar nature as stated in paragraph-



3 of the bail application. It is submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration 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 Additional District & Sessions Judge-IX-cum-Special Judge, Excise-II, Aurangabad, Bihar in connection with Daudnagar P.S. Case No.142 of 2022, 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 his own blood relative, 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/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

