

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30655 of 2022**

Arising Out of PS. Case No.-193 Year-2022 Thana- KANKARBAG District- Patna

=====

AJAY RAI @ LULHA @ AJAY YADAV S/o Binda Rai Resident of Mohalla-  
Ashok Nagar, Road No.14, House No.14/ 124, P.S.- Kankarbagh, District-  
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Nand Kumar

=====

**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.

Learned counsel for the petitioner undertakes to remove  
the defects within four weeks of resumption of normal court  
proceedings. In the eventuality of non-removal of defects within  
undertaken period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case  
registered for the offence punishable u/s 30(A) of the Bihar  
Prohibition and Excise Act.

Altogether 9 liters of country made liquor is said to have  
been recovered behind the house of the petitioner. The  
allegation against the petitioner is that after seeing police, he  
fled away from the spot.



Learned counsel for the petitioner submits that petitioner is quite innocent and has not committed any offence as alleged in the FIR. He has been falsely implicated in this case due to ulterior motive. His name transpired in the case on the basis of secret information. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. Petitioner has no concern either with the seized liquor or any trade of liquor. Petitioner is not the owner of the land from where the liquor is said to have been recovered. Petitioner has three criminal antecedent, as also mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00/- (Rupees Twenty Thousand) in the Juvenile Justice Fund, Bihar bearing Account No.35094613009, IFSC SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below, where the case is pending/Successor court, in



connection with Kankarbagh P.S. Case No.193 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following conditions:

(1) One of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with petitioner. He will also undertake to inform the Court if there is any change in the address of petitioner.

(2) The bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000/- (Rupees Twenty Thousand) in the Juvenile Justice Fund.

**(Anjani Kumar Sharan, J)**

shikha/-

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

