

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41498 of 2021

Arising Out of PS. Case No.-123 Year-2021 Thana- KISHANGANJ District- Kishanganj

SANDEEP TEWARI Son of Late Suresh Tewari Resident of House No. -B-55, Air Base Colony, Near Brahmand Ashram, Uliyan, P.S.- Kadma, District-East Singhbhum, Jharkhand- 831005.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyabir Bharti, Advocate

Ms. Prachi Pallavi, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272/273/120B of the Indian Penal Code and Section 30 (a)/41 (1) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 25,000 liters of Extra Neutral Alcohol is said to have been recovered from a tank lorry and petitioner is the owner of the said tank lorry. He has no concern either with the seized spirit or the place of recovery or any trade of liquor. The allegation levelled



against the petitioner is not specific rather general and omnibus in nature. He has been falsely implicated in this case as he is the owner of the said lorry. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh) in the account of Bihar Kishore Nyay Nidhi, bearing Saving Bank Account No.35094613009, IFSC Code: SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna, Branch Code 153.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Kishanganj P.S. Case No. 123 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

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



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

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.1,00,000.00 (Rupees One Lakh) in the account of Bihar Kishore Nyay Nidhi.

(Anjani Kumar Sharan, J)

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