

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36230 of 2022

Arising Out of PS. Case No.-106 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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PAPPU KUMAR Son of Jitendra Sahani Resident of Badi Bazar, Dumra,
P.S.- Punaura, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-09-2022 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 Sections 30(a)(c) of the Bihar
Prohibition and Excise Act.

33 litres of Nepali Saufi liquor has been recovered from
a motorcycle. Two persons were arrested at the spot.

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 no
criminal antecedent as stated in paragraph-3 of the bail
application. It is submitted that petitioner is the owner of the said
motorcycle, therefore, he has also been made accused in the
present case. 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 Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, 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 Exclusive Excise Court-II, Sitamarhi in connection with C2-106/2022, 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/-

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