

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43424 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- SAHPUR District- Patna

SABIN KUMAR Son of Dinesh Prasad Sharma R/o At village- Sadiqpur,
P.O- Danapur, P.S- Shahpur, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kiran Kumari Sharma

For the State : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-10-2022 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.

180 litres of country made liquor has been recovered
from a tempo. The driver of the tempo was apprehended 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 petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is submitted that the petitioner is made accused in
the present case as he is the owner of the said tempo. It is also
submitted that there is no recovery from the conscious possession
of the petitioner.



Petitioner is agree to deposit a sum of Rs. 25,000/- (rupees twenty five 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 Court of Special Excise Judge, Patna in connection with Shahpur P.S. Case No.379 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 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)

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