

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43172 of 2022

Arising Out of PS. Case No.-143 Year-2021 Thana- BAJPATTI District- Sitamarhi

AWADH THAKUR S/O RAJENDRA THAKUR Resident of Village-
Madhurapur, P.S.- Bajpatti- District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Rabindra Kumar

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.

88.500 litres of illicit Nepali Saufi has been recovered
from the place of occurrence. The petitioner is said to have fled
away from the place of occurrence after seeing the police leaving
his 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 petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is submitted that the said motorcycle does not
belong to the petitioner. 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 A.D.J.-II-cum-Special Judge, Excise, Sitamarhi in connection with Bajpatti P.S. Case No.143 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)

Sanjay/-

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