

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60663 of 2021**

Arising Out of PS. Case No.-409 Year-2021 Thana- KANKARBAG District- Patna

SURAJ KUMAR Son of Lalan Kumar Resident of Postal Park, Road No.4,  
Kayasth Toli, P.S.- Jakkanpur, District- Patna (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      25-03-2022                      Heard learned counsel for the petitioner and learned  
APP for the State through virtual court proceeding.

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

The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 272, 273 of  
the Indian Penal Code and Section 30(a) of the Bihar Prohibition  
and Excise Act.

Learned counsel for the petitioner submits that  
petitioner is innocent and has been falsely implicated in this  
case. He submits that there is no recovery from the conscious  
possession of the petitioner rather 0.750 liters of foreign liquor  
is said to have been recovered from the scooty. He submits that



apprehended person disclosed the name of the petitioner. He further submits that petitioner has one criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road Patna, bearing Saving Account No. 35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code- 153, IFSC Code-SBIN0000153.

Considering the facts and circumstances of the case, the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Kankarbagh P.S. Case No. 409/2021, 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. 10,000.00 (Rupees Ten Thousand) in the Bihar Kishore Nyay Nidhi, Patna.

**(Anjani Kumar Sharan, J)**

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