

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50529 of 2022

Arising Out of PS. Case No.-145 Year-2020 Thana- JAHANABAD District- Jehanabad

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BRAJESH KUMAR S/o Late Umesh Prasad Resident of Jagdish Colony,
Nizamuddinpur, P.O. and P.S.- Jehanabad, District- Jehanabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar Karan, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 11-11-2022 Heard the parties through virtual court proceedings.
- Learned counsel for the petitioner is directed to
remove the defects within four weeks.
- Petitioner apprehends his arrest in connection with
a case registered for the offence punishable u/s 30(a) of the
Bihar Prohibition and Excise (Amendment) Act-2018.
- Altogether 465 litres of foreign liquor is said to
have been recovered from the shop and house of the accused
Roshan Kumar. Raushan Kumar and one other person were
apprehended on the spot.
- Learned counsel for the petitioner submits that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. Petitioner has been falsely implicated in
this case at the instance of his enemies. His name transpired in



this case on the confessional statement of apprehended co-accused. Petitioner has neither been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession. He has no concern either with the seized liquor or any trade of liquor. Petitioner is not the owner of the said shop and house. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee, Patna bearing Account No.1413010060836, IFSC PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bonds 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 Jehanabad P.S. Case No.145 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, as also the following



conditions:

(1) That 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 the petitioner. He will also undertake to inform the Court if there is any change in the address of the 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.30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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