

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63804 of 2021**

Arising Out of PS. Case No.-225 Year-2021 Thana- KUDHNI District- Muzaffarpur

NARESH KUMAR @ MANNU KUMAR Son of Binda Rai @ Binda Lal Rai
Resident of Village- Kerma Naya Tola, P.S.- Kudhni, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Dilip Kumar No.1

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

2 25-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

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

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 9 liters of foreign liquor is said to have been recovered from near the canal dam concealed in the bush below. He has no concern



either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He has been falsely implicated in this case at the instance of his enemy. The place of recovery is an open place and easily accessible to anyone. Petitioner has one criminal antecedent of similar nature of offence, as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Bihar Kishore Nyay Nidhi, bearing Saving Bank Account No.35094613009, IFSC Code: SBIN0000153, State Bank of India, Patna Secretariat Sinchai Bhawan Branch, Patna, Branch Code 153.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 below where the case is pending/successor Court in connection with Kudhni P.S. Case No. 225 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Bihar Kishore Nyay Nidhi.

(Anjani Kumar Sharan, J)

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