

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54157 of 2022

Arising Out of PS. Case No.-431 Year-2022 Thana- SHASTRINAGAR District- Patna

ANJANI KUMAR, S/o Late Raj Ballabh Singh, Resident of Village- Parsa,
P.S.- Parsa, District- Patna. At present Mourya Path Musahari, P.S.-
Shastrinagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 19-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Shastrinagar P.S. Case No. 431 of 2022
registered for the alleged offences under Sections 30(a), 32(ii),
36 and 42(ii) of the Bihar Prohibition and Excise (Amendment)
Act, 2018.

As per prosecution case, police received secret
information about selling of illicit liquor. The police reached at
the identified place and apprehended the petitioner who was
also found in inebriated condition. On search being made in the



hut of the petitioner, total 96 liters of country made liquor was recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. The place from which the alleged liquor was recovered does not belong to the petitioner and he was also not arrested from the place of occurrence. The petitioner is an engineer and runs Om Sai Abhisansa Guest House and he was arrested when he was crossing the said area because the actual accused fled away after seeing the police. Nothing incriminating has been recovered from the conscious possession of the petitioner or from his guest house. Charge sheet has been submitted in this case and the petitioner is in custody since 22.07.2022. The petitioner has got clean antecedent.

Learned APP for the State opposes the prayer for bail of the petitioner.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the fact that charge sheet has been submitted along with period of custody of the petitioner and his clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the



like amount each to the satisfaction of learned Special Judge, Excise, Patna in connection with Shastrinagar P.S. Case No. 431 of 2022 Special Case No. 4247 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Gautam/daya

U		T	
---	--	---	--

