

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64221 of 2021

Arising Out of PS. Case No.-47 Year-2019 Thana- ADHAOURA District- Kaimur (Bhabua)

Brij Kishor Singh S/o Baleshwar Singh R/o village- Badwankala, P.S.-
Adhaura, District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-04-2022 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 307 and 506/34 of the IPC, Section 27 and 30 of the Arms Act and Section 30(a), 37(a), 37(b) and 37(c) of the Bihar Prohibition and Excise Act.

It is alleged that 4 litres of country made illicit liquor has been recovered from the motorcycle of the petitioner. The



name of the petitioner surfaced from the confessional statement of apprehended co-accused person.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that through recovery has been made from the motorcycle of the petitioner, but he has not been arrested from the place of recover. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of ₹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 ₹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 Adhaura P.S. Case No. 47 of 2019, 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 ₹10,000.00 (Rupees Ten Thousand) in the Bihar Kishore Nyay Nidhi, Patna.

(Anjani Kumar Sharan, J)

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