

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56011 of 2022

Arising Out of PS. Case No.-322 Year-2022 Thana- SAKRA District- Muzaffarpur

SUSHIL KUMAR @ SUSHIL KUMAR SINGH S/o Kirshnanadan Prasad
Singh @ Krishna Nandan Prasad Singh Resident of village- Manika
Bishunpur Chand ,P.S.- Mushahari ,District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-11-2022 Heard the parties through virtual court proceedings.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable 272, 273, 419, 420, 467, 468 and 471 of the IPC and u/s 30(a) 32(i)(ii), 36 and 41 of the Bihar Prohibition and Excise Act-2018.

Altogether 4387 litres of foreing liquor has been recovered from different vehicles. The petitioners are said to have brought the illicit liquor.

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. 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 motorcycle. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.2,00,000.00/- (Rupees Two Lakh) 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 Sakra P.S. Case No.322 of 2022, 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 the aforesaid amount in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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