

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69234 of 2021

Arising Out of PS. Case No.-188 Year-2021 Thana- AKBARPUR District- Nawada

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SUJEET KUMAR @ SUJEET YADAV S/o Suresh Prasad Yadav R/o village-
Manger Bigha, P.S.- Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-05-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

Petitioner apprehends his arrest in connection with a case registered for the offence punishable u/s 420, 467, 468, 471 of the IPC and section 30(a) of the Excise Act.

Altogether 1990.35 liters of foreign liquor is said to have been recovered from a truck and it was disclosed by the apprehended driver that petitioner and others were involved in the business of 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. Allegation against him is that he is involved in the business of liquor but he has no concern either with the seized liquor or any trade of liquor. The said vehicle from which recovery has been made does not belong to the petitioner. Several similarly situated co-accused have been enlarged on anticipatory bail by order dated 11.03.2022 passed in Cr. Misc. No.59804 of 2021, Cr. Misc. No.59516 of 2021. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs.1,00,000.00/- (Rupees One Lac) 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 Akbarpur P.S. Case No.188 of 2021, 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.1,00,000.00/- (Rupees One Lac) in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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