

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.986 of 2022**

Arising Out of PS. Case No.-307 Year-2020 Thana- TEKARI District- Gaya

RAM PUKAR SHARMA S/o Ram Kadarthan Sharma Resident of Itki Road,
Piska More, Near City Trust Hospital, Bajra, P.S.- Sukhdev Nagar, District-
Ranchi, Jharkhand

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.

For the Opposite Party/s : Ms.Sharda Kumari, APP

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

3 12-07-2022 Heard the parties.

Learned counsel for the petitioner undertakes 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 30(a) of the Bihar Prohibition and Excise Act, 2016.

Altogether 129 litres of foreign liquor is said to have been recovered from the car of the petitioner. The driver of the car was apprehended on the spot.

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 only on suspicion. His name transpired in this case on the basis that he is the owner of the vehicle from which recovery has been made but the same was driven by the driver and petitioner had no knowledge about the loading of the illicit liquor. 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 has no criminal antecedent.

Petitioner is agreed to deposit a sum of Rs.30,000.00/- (Rupees Thirty Thousand) 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 Tekari P.S. Case No.307 of 2020, 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.30,000.00/- (Rupees Thirty Thousand) in the Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

pallavi/-

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

