

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64516 of 2022**

Arising Out of PS. Case No.-94 Year-2022 Thana- AMAUR District- Purnia

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SUMAN KUMAR SON OF NARESH YADAV R/O VILL.- BHARKHAL,  
P.S.- RAUTARA, DISTT.- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Bijendra Kumar Singh  
For the Opposite Party/s : Mr. Harendra Prasad

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

2      15-12-2022                      Heard learned counsel for the petitioner and  
  
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 & 273/34 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 50.890 liters of illicit liquor is said to have been recovered from the two motorcycles and petitioner is the owner of one of the motorcycles. As a matter of fact, Mithilesh Kumar Yadav, cousin of the petitioner requested to give his motorcycle for some urgent work and assured to return back soon from Amour



on such assurance the petitioner in good faith and being cousin gave his motorcycle and he was not aware at all such illegal activities of co-accused, Mithilesh Kumar Yadav. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.25,000.00 (Rupees Twenty Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending/successor Court in connection with Amour P.S. Case No. 94 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C,



subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

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 account of Patna High Court Legal Services Committee.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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