

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64860 of 2022

Arising Out of PS. Case No.-91 Year-2019 Thana- KISHANGANJ District- Kishanganj

ASHISH @ ASHISH SHARMA S/O RAMESHWAR DAS SHARMA
Resident of Village- Deodhar 72, P.S.- Yamuna Nagar, District- Haryana at
present state Guest House, T.T. Apartment D, Sector 3rd Floor P.S.-
Nahlagun, District- Papumpare (Arunchal Pradesh).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-12-2022 Heard learned counsel for the petitioner and
learned A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case
registered for the offences punishable under 30 (a) and 41 (1)
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 5262
liters of foreign liquor is said to have been recovered from a
truck. The apprehended truck driver and helper Pawan Kumar
stated that Sunil Bharadwaj and Sandeep have bought the said
liquor from the petitioner. 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 been falsely implicated in this case at the instance of his enemy. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.5,00,000.00 (Rupees Five Lakhs) 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 Kishanganj P.S. Case No. 91 of 2019, 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)

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