

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67875 of 2022

Arising Out of PS. Case No.-58 Year-2021 Thana- MALAYPUR District- Jamui

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Amardeep Kumar Son of Umesh Ram @ Mahangu Ram R/v- Nandnama,
P.S.- Ramgarh Chowk, Dist- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance:

For the Petitioner : Mr. Jyoti Ranjan Jha, Advocate
For the Opposite Party : Mr. Ramesh Chandra, A.P.P.

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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 section 272/273/34 of the Indian Penal Code and 30(a)/36/41(i) of the Bihar Prohibition and Excise Amendment Act, 2018.

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 90 liters of foreign liquor is said to have been recovered from the dicky of Swift Desire. Petitioner has three criminal antecedents of similar nature of the offence. 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 is not named in the F.I.R., his name transpires on the basis of confessional statement of co-accused. Petitioner has been falsely

implicated in this case at the instance of his enemy. He was not apprehended on the spot.

Petitioner has agreed to deposit a sum of Rs. 40,000/- (Rupees Forty 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 eight weeks from today, on furnishing bail bond of Rs. 40,000/- (Rupees Forty 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 Malaypur P.S. Case No. 58 of 2021, 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)

Shahnawaz/-

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