

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2430 of 2023

Arising Out of PS. Case No.-302 Year-2020 Thana- PATORI District- Samastipur

SHARVAN KUMAR @ SHARVAN RAY S/o Butan Ray R/v- Patharghat,
New Hardaspur Tola, P.S.- Patori (Mohanpur O.P.), District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

90 litres of country made liquor has been recovered from the place. It is alleged that out of 90 litres, 30 litres of country made liquor has been recovered from the backside of the house of the petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got three criminal antecedents of similar nature as stated in paragraph-3



of the bail application. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 30,000/- (rupees thirty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail 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 Additional Sessions Judge-II-cum-Special Judge (Excise Act), Samastipur in connection with Patory (Mohanpur O.P.) P.S. Case No.302 of 2020, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the further conditions that:

- (i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.
- (ii) 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 Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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