

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5316 of 2023

Arising Out of PS. Case No.-169 Year-2022 Thana- RAJEPUR District- East Champaran

Brajesh Kumar Son Of Shivchandra Rai R/V- Parsauniya Kanhi, P.S- Rajepur
Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-04-2023 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 Sections 272, 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioner submits that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 1193.760 liters of foreign liquor is said to have been recovered from the hut of Arun Prasad. He submits that petitioner has been made accused in this case on the basis of confessional statement of apprehended co-accused. He submits that there is no specific allegation levelled against the petitioner. He further submits that the petitioner has no criminal antecedent as stated in para-3



of the bail application.

Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Bihar State Bar Council Welfare Fund bearing Account No.31861041899, IFSC Code: SBIN0010340, State Bank of India, High Court Campus, 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 Rajepur P.S. Case No. 169 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 Bihar State Bar Council
Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

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