

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5996 of 2023

Arising Out of PS. Case No.-666 Year-2022 Thana- HAJIPUR SADAR District- Vaishali

SHIVNATH KUMAR @ SHIV KUMAR RAI S/O RAM RAI Resident of
village- Mir Nagar, P.S.- Hajipur Sadar, District- Vaishali, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra

For the Opposite Party/s : Mr.Anant Kumar I

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act.

4.320 litres of foreign liquor and 30 litres of country
made liquor has been recovered from poultry farm of co-
accused, Arjun Rai.

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 one
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that petitioner is brother of
co-accused, Arjun Rai, therefore, he has also been made



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

Petitioner is agree to deposit a sum of Rs.25,000/- (rupees twenty five thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus 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 Exclusive Special Excise Court No.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No.666 of 2022, 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 Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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