

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4016 of 2023

Arising Out of PS. Case No.-769 Year-2022 Thana- SITAMARHI District- Sitamarhi

SHYAM KUMAR @ SHYAM CHOUDHARY Son of Late Shivji Choudhary
R/v- Baswariya Chowk, Ward No. 02, Mehsaul, O.P., P.S.- Sitamarhi,
District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-03-2023 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 Section 30(a) of the
Bihar Prohibition and Excise Act.

33.765 litres of foreign liquor has been recovered
from the place of occurrence.

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 no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that there is no recovery from
the conscious possession of the petitioner and petitioner was



identified by local villagers and *Chaukidar*.

Petitioner is agree to deposit a sum of Rs. 10,000/- (rupees ten 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 Exclusive Excise Court No.-II, Sitamarhi in connection with Sitamarhi P.S. Case No.769 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 Patna High Court Legal Services
Committee.

(Anjani Kumar Sharan, J)

S.KUMAR/-

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