

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7596 of 2023

Arising Out of PS. Case No.-344 Year-2022 Thana- DIGHWARA District- Saran

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Bittu Kumar @ Bittu Singh @ Nitesh Kumar Son Of Shambhu Singh @
Shambhunath Singh R/O Village- Shitalpur Babu Tola, P.S.- Dighwara,
District- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh
For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 30(a) of the
Indian Penal Code pending in the learned court below.

Learned counsel for the petitioner submits that petitioner
is innocent and has been falsely implicated in this case. He
submits that there is no recovery from the conscious possession
of the petitioner rather 270 liters of English liquor are said to
have recovered from the place of the occurrence. He further
submits that there is allegation against the petitioner that
petitioner is involved in the sale and purchase of the illicit
liquor. He submits that petitioner has not been arrested on the



spot. He further there is no recovery made from the conscious possession of the petitioner. He submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 25,000.00/- (Rupees Twenty-five 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.

Considering the facts and circumstance of the case and the fact there is no recovery from the conscious possession of the petitioner, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Dighwara P.S. Case No. 344 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

- (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 the aforesaid amount in the account of Bihar State Bar Council Welfare Fund, Patna.

(Anjani Kumar Sharan, J)

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