

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11630 of 2023

Arising Out of PS. Case No.-535 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhepura

Prabhash Kumar Son of Sikandar Yadav R/o Village- Kusthan Ward No.1,
P.S.- Bilasiganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh
For the Opposite Party/s : Mr.Ajay Kumar No. 2

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-04-2023 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 the Bihar Prohibition and Excise Act.

17.250 litres of foreign liquor has been recovered from the house of petitioner's father.

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 the father of the petitioner has already been apprehended by the police who disclosed the name of the petitioner. It is submitted that there is



no recovery from the conscious possession of the petitioner.

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: PUNB141320, 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-VII-cum-Special Judge, Excise-II, Madhepura in connection with Madhepura Excise P.S. Case No.535 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 the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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