

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34813 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BIHTA District- Patna

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RISHIKESH KUMAR @ RISHIKESH CHAUDHARY Son of Jagnarayan
Choudhary R/o Badahari, Post - Barahari, P.S. - Barahari, Purahra, Distt. -
Rohtas, Bihar – 802215.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Sinha

For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-06-2023 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 Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code as well as under Sections 30(a)(b)(c)(d), 32(i)(ii)(iii), 33, 36, 41(i)(ii), 44, 47 and 62 of the Bihar Prohibition and Excise Act.

5.625 litres of foreign liquor was recovered from a factory. 2640 litres of spirit has been recovered from a godown.

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 petitioner is made accused in the present case as the said land belongs to the petitioner on which factory and godown are situated. It is submitted that the land was given to the petitioner on lease (Annexures 2 and 3 of the bail petition). It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty 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 Special Excise Danapur Court, Patna in connection with Bihta P.S. Case No.23 of 2023, 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)

S.KUMAR/-

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