

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39140 of 2023

Arising Out of PS. Case No.-215 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Nandan Kumar @ Nandan Kumar Yadav S/O Prem Ray @ Prem Lal Yadav
R/O Village- Chandi Ekmighat, P.S- Bahadurpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

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

3. Allegation against the petitioner is that he fled
away from the place of occurrence.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in this
case. He submits that no incriminating article has been
recovered from the conscious physical possession of the
petitioner rather 3 liters of foreign liquor is said to have been
recovered from the hotel. He submits that the alleged recovery
has been made from the hotel which does not belong to the



petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs.10,000.00 (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.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Samastipur Excise Case No. 215 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(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.

7. 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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