

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51640 of 2023**

Arising Out of PS. Case No.-239 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

ABHISHEK KUMAR Son Of Upendra Rai @ Upendra Prasad Yadav  
Resident Of Village And P.S.- Bochaha, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      19-08-2023                      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 under Section 120 of the Indian Penal Code and Sections 30(a), 32(i) (ii), 36 and 41(i) (ii) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 2428.14 liters of foreign liquor is said to have been recovered from two Mahendra Pick Up Vans. Petitioner has no concern either with the seized liquor or the vehicles from which recoveries have been made or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in



nature. Petitioner has been falsely implicated in this case at the instance of his enemy in collusion with the police. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh) 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.

5. 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 eight 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 Runnisaipur P.S. Case No. 239 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C, 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.

6. 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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