

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57184 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Ashok Kumar Son Of Late Bigan Prasad Resident Of Manpur, Shiv Charan
Lane, P.S. - Buniyadganj, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-10-2023 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 Sections 30(a) of 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 108.525 liters of foreign liquor is said to have been recovered from a tempo. Three persons were apprehended at the spot. He submits that the apprehended person disclosed the name of the petitioner. The petitioner is not the owner of the said tempo. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled



against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para – 3 of this application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000 (five thousand) 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 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 Buniyadganj Police Station Case No. 200 of 2023, subject to the further conditions

(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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