

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61442 of 2023

Arising Out of PS. Case No.-298 Year-2023 Thana- GORAUL District- Vaishali

Umesh Kumar Son of Mahendra Rai @ Mahindra Ray R/o vill - Mathanamal,
P.S. - Gorul (Kathara O.P.), Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 414 of the Indian Penal
Code and section 30(a) of the Bihar Prohibition and Excise Act.

3. 45.645 litres of foreign liquor has been recovered
from three different vehicles. One person was apprehended on
the spot who disclosed the name of this petitioner and other co-
accused persons who fled away from the place of occurrence.

4. It is submitted by the counsel for petitioner that
nothing has been recovered from possession of this petitioner.
Petitioner has got clean antecedent.

5. Petitioner is agreed to deposit a sum of Rs. 10,000/-
(Rupees Ten Thousand) in Patna High Court Legal Services



Committee, Patna bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

6. Having regard to the facts and circumstances of the case and the fact that there is no recovery from conscious possession of the petitioner, 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 the learned Exclusive Special Excise Court No. 1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Goraul (Kathara) P.S. Case No. 298 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure; subject to the further conditions that:

(i.) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii.) That the bailor shall also state on affidavit that he



will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter, the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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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