

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61524 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- BIRPUR District- Supaul

Mohammad Sadrul son of Mohammad Safid Village- Jhilla Dumri Ps-
Bhaptiyahi Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Shilpi Keshri

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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 30(a) of the Bihar
Prohibition and Excise Act, 2018.

3. 54.9 litres of Nepali liquor has been recovered from
a pick-up van. One person was apprehended on the spot who
disclosed the name of petitioner as the person who fled away
from the place of occurrence.

4. It is submitted by the counsel for petitioner that
petitioner is neither owner of the vehicle in question nor any
incriminating article has been recovered from his conscious
possession. Petitioner has got no criminal antecedent, as stated
in para 3 of the petition.



5. Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five 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 Incharge Exclusive Special Judge, Excise, Supaul in connection with Birpur P.S. Case No. 62 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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