

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68199 of 2023

Arising Out of PS. Case No.-159 Year-2021 Thana- RAGHOPUR District- Supaul

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Kusum Lal Ram S/O Kalar Ram R/O Laxmipur Ward No. 1, P.S- Laukaha,
Distt.- Madhubani- 847421.

... .. Petitioner/s

Versus

The state of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-11-2023 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 Sections 30 (a), 38(i) and 41(i) of the Bihar Prohibition and Excise Act.

3. 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 45 liters of foreign liquor is said to have been recovered from the vehicle. He submits that the petitioner was dragged in the present case due to being the owner of the said vehicle. He submits that there is no specific overt act against the petitioner. Petitioner has no criminal antecedent as



mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Lawyer's Association Welfare/Benevolent fund, Patna, bearing Account No.42335550065, IFSC Code: SBIN0010340, State Bank of India, High Court Campus 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 Raghapur P.S. Case No. 159 of 2021, 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 Lawyer’s Association
Welfare/Benevolent fund, Patna.

(Anjani Kumar Sharan, J)

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