

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65983 of 2023

Arising Out of PS. Case No.-211 Year-2021 Thana- AGAMKUAN District- Patna

Indrajeet Singh @ Indrajeet Kumar Singh Son Of Lakhendra Kumar Singh
Village Dewariya Ps Taraiya, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 09-11-2023 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 under Sections 30 (a)(c), 36 and 41(i) of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 4375 liters of spirit is said to have recovered from the cabin of the Truck. He submits that petitioner is neither the owner of the Truck nor the Truck has been taken on rent neither have any concern with the seized article, only on the basis of suspicion the petitioner has been made accused in the present case. Petitioner has one criminal



antecedent of similar nature as stated in para-3 of the bail application.

4. A supplementary affidavit is being filed on behalf of the petitioner in which it is stated in para-3 that the petitioner is agreed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs) 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 and the fact that there is nothing recovered from the 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 Court below where the case is pending/successor Court in connection with Agamkuan P.S. Case No. 211 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(1) That one of the bailors will be a close relative of



the petitioner, who will give an affidavit giving genealogy as to who 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.

(2) That the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after their 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.

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)

anand/-

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