

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66540 of 2023

Arising Out of PS. Case No.-360 Year-2023 Thana- DIGHA District- Patna

=====

Kumar Uttam Son Of Dilip Kumar R/O Tubewell No. 2, Sheikhpura, Behind
Shailbharan Apartment, P.S. - Shastri Nagar, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Akanksha Malviya

For the Opposite Party/s : Mr.Zainul Abedin

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-10-2023 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 Sections 30 (a)/37 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 360ML of foreign liquor is said to have been
recovered from the Scooty. He submits that the petitioner is the
owner of the said vehicle. He submits that the apprehended
person disclosed the name of the petitioner. Petitioner has no
concern either with the seized liquor or the place of recovery or
any trade of liquor. Petitioner has no criminal antecedent as



mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, 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 Digha P.S. Case No. 360 of 2023, 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 Patna High Court Legal
Services Committee, Patna.

(Anjani Kumar Sharan, J)

devendra/-

U		T	
---	--	---	--

