

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69044 of 2022

Arising Out of PS. Case No.-327 Year-2022 Thana- AKBARPUR District- Nawada

GOLDEN KUMAR S/o Binay Singh R/v- Baliya Buzurg, P.S.- Akbarpur,
District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar, Adv.

For the Opposite Party/s: Mr.Choubey Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-01-2023 Heard learned counsel for the petitioner and learned A.P.P.
for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable u/s 30 (a) of the Bihar Prohibition and Excise Act, 2016.

Altogether, 12 litres country made liquor has been recovered from orchard near Baliya Bujurg Bigha Mushahri Tola. On information, when police party reached the place of occurrence, they saw that 3-4 persons were sitting there and one person was selling illicit liquor. Seeing police vehicle, they started fleeing and succeeded in fleeing.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case at the instance of his



enemies. No incriminating article has been recovered from the conscious physical possession of the petitioner rather said country made liquor is said to have been recovered from orchard which does not belong to petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He was not apprehended on the spot. His name has been transpired in this case merely on the basis of statement of Chowkidar. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the PM Cares fund, bearing Account No.2121PM20202, IFSC Code: SBIN 0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID : pmcares@sbi.

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 be-



low where the case is pending/successor Court in connection with Akbarpur P.S. Case No. 327 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in PM Cares fund.

(Anjani Kumar Sharan, J)

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