

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67365 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Saurav Kumar Singh @ Saurav Kumar Son of Ajay Kumar Singh, Resident of
Village - Hemanpur, Police Station - Mohiuddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-11-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable u/s 30(a)/36/41 of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Altogether 360 ml. of foreign liquor is said to have
been recovered from the motorcycle of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case due to ulterior
motive. No incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no
concern either with the seized liquor or any trade of liquor. He



was not apprehended on the spot and his name transpired in the case on the basis that he is owner of the said motorcycle. It is submitted that due to some altercation between the police party and the petitioner, his name has been implicated in this case. Petitioner has one criminal antecedent of similar nature of offence.

5. 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.

6. 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 Mohiuddin Nagar P.S. Case No.196 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, with the following conditions:

- (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) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory 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 aforesaid amount in the Lawyer's Association Welfare/ Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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