

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69260 of 2022

Arising Out of PS. Case No.-235 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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PRABHUNANDAN SINGH SON OF LATE BRAHAMDEW SINGH R/O
VILLAGE- LAKHO, P.S.- MUFFASIL, DISTRICT- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar
For the Opposite Party/s : Mr.Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

5.04 litres of foreign liquor has been recovered from
dicky of motorcycle of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got no
criminal antecedent as stated in paragraph-3 of the bail
application. It is further submitted that the petitioner stopped his
motorcycle near Lakho Petrol Pump for eating, in the meantime,



the patrolling party arrived there and took away the motorcycle to the police station. It is submitted that when the petitioner got knowledge of this fact, he went to the police station, but the police demanded heavy money and when the petitioner showed his inability to pay the money, the police lodged the false case against the petitioner. It is also submitted that there is no recovery from the conscious possession of the petitioner.

Petitioner is agree to deposit a sum of Rs. 20,000/- (rupees twenty thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail 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 Exclusive Excise Court-IIInd, Begusarai in connection with Excise Case No.235 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as



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.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of deposit of the aforesaid amount in Patna High Court Legal Services Committee.

(Anjani Kumar Sharan, J)

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