

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75607 of 2023

Arising Out of PS. Case No.-184 Year-2023 Thana- DIGHWARA District- Saran

Abhishek Kumar S/O Naval Rai Resident Of Village - Chhattar Chapra, P.S.-
Dighwara, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2023 Heard Manish Chandra Gandhi, learned counsel
for the petitioner and Mr. Dilip Kumar No. 1, learned A.P.P. for
the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30 (a) 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 3032.28 liters of foreign liquor is said to have
been recovered from the Godown and pick-up van. He submits
that there is no specific overt act against the petitioner and only
on the basis of suspicion, he has been made accused in this
case. He submits that there is no compliance of Section 100 of



the Cr.P.C. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.25,000.00 (Rupees Twenty 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 Dighwara P.S. Case No. 184 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	
---	--	---	--

