

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76937 of 2023

Arising Out of PS. Case No.-284 Year-2023 Thana- SAKRA District- Muzaffarpur

RANDHIR KUMAR SON OF UMA SHANKAR RAY @ UMA RAI
RESIDENT OF VILLAGE- CHAKMAHESI, PURUSHOTTAMPUR, PS-
MANIYARI, DISTT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 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 under Sections 420, 467, 468 & 120B of the Indian Penal Code and Sections 30 (a), 32 (i) (ii), 36, 41 (i) of the Bihar Prohibition and Excise Act.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 1081.081 liters of foreign liquor is said to have been recovered from a truck. Petitioner's name transpired in this case on the confessional statement of apprehended co-accused. Petitioner has no concern either with the seized liquor or the place of



recovery or any trade of liquor. Petitioner is neither the owner nor the driver of the alleged truck. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case by the police due to some altercation between them on his refusal to cough up the demand of graft made by them. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code : 800016018.

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 Sakra P.S. Case No. 284 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 Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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