

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76466 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- RUNISAIDPUR District- Sitamarhi

Kundan Kumar @ Kundan Singh Ajay Singh @ Ajay Kunwar R/O Village-
Manik Chowk, Kamaldah Toal, Uttari, P.S.- Runnisaidpur, District- Sitamarhi.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a), 32, 36 and 41 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 2604.12 liters of foreign liquor is said to have recovered from the different vehicles. He further submits that three persons apprehended on the spot who disclosed the name of the petitioner and other co-accused persons. He submits that similarly situated other co-accused persons have already been granted bail by different Co-ordinate Benches of this Court. He further submits that there is no



recovery made from the conscious possession of the petitioner. He further submits that petitioner has got one criminal antecedent not in similar nature of the offence as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 30,000.00/- (Rupees Thirty 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.

5. Considering the facts and circumstance of the case and the fact that there is no recovery from the conscious possession of the petitioner, let the above named petitioner, 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 the learned court below where the case is pending/successor court in connection with Runnisaidpur P.S. Case No. 637 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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 the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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