

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78027 of 2023

Arising Out of PS. Case No.-165 Year-2023 Thana- GANGABRIDGE District- Vaishali

SHIV NATH THAKUR SON OF HIRA THAKUR RESIDENT OF
VILLAGE - DIWANTOK, P.S. - GANGA BRIDGE, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha, Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-12-2023 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 Section 30 (a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Altogether, 160 litres of country made liquor has been recovered near the hut of co-accused Ranjit Rai from the motorcycles. After seeing the police, two persons fled away from the spot leaving their motorcycles.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized liquor or the place of recovery or any trade of



liquor. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has been falsely implicated in this case at the instance of his enemy. He was not apprehended on the spot. He had not consumed liquor. He has no concern with co-accused Ranjit Rai. His name has been transpired in the present merely on suspicion. He has one criminal antecedent of similar nature that of the present case, as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in account of Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra 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 Ganga Bridge P.S. Case No. 165 of 2023, subject to the condition as laid down under Section 438 (2) of



the Cr.P.C, subject to the further conditions that

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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