

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.540 of 2023

Arising Out of PS. Case No.-111 Year-2021 Thana- PARBATTa District- Bhagalpur

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AMAR BHAGAT @ AMAR KUMAR SON OF JAI PRAKASH BHAGAT
R/O VILLAGE- GARIYA, P.S.- PARBATTa, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Md. Anbzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-01-2023 Heard learned counsel for the petitioner and
learned APP for the State.

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

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 141.255 liters of foreign liquor is said to have recovered from the different houses. He further submits that co-accused, namely, Ranjan Kumar Mandal and Vijay Mandal were apprehended by the police. He submits that petitioner is made accused on the basis of the confessional statement of the co-accused Ranjan Kumar Mandal that the



petitioner is doing illicit liquor business for a a long time on that basis the petitioner was made accused in this case. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 20,000/- (Rupees Twenty Thousand) in the PM Cares Fund, bearing Account No. 2121PM20202, IFSC Code: SBIN0000691, SWIFT Code: SBININBB104, State Bank of India, New Delhi Main Branch, UPI ID: pmcares@sbi.

Considering the facts and circumstance of the case, let the above named petitioner, in the event of his arrest or surrender before the learned Court below within a period of eight 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 Parbatta P.S. Case No. 111/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to



inform the court if there is any change in the address of the petitioner.

(II) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after their release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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 PM Cares Fund.

(Anjani Kumar Sharan, J)

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