

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.73572 of 2022**

Arising Out of PS. Case No.-64 Year-2018 Thana- DHANGAI District- Bhojpur

HEMRAJ SINGH S/O RAMBACHAN SINGH Resident of village- Baruna,  
P.S.- Dhangain, District- Bhojpur at Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Arun Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      18-03-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehend his arrest in a case registered  
for the offences punishable under 30 (a) of the Bihar Prohibition  
and Excise Act, 2016.

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 6 liters of foreign liquor is  
said to have recovered from the motorcycle. He submits that the  
case was instituted against unknown in the year 2018 and the  
police remained silent and could not ascertain the ownership of  
the Bike which was found containing liquor and on 22.01.2022  
the police could know the name of the owner of the Bike from



the dealer, such as Lakshman Singh S/o Late Bhagwan Singh and reached at his house and met the son of Lakshman Singh, who said the police that Lakshman Singh died on 01.04.2018 and after death of Lakshman Singh or even in his life time the Bike was being used by the petitioner, Hemraj Singh and on that basis the police made this petitioner an accused in the present case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

Petitioner is agreed to deposit a sum of Rs. 10,000.00 (Rupees Ten Thousand) in the Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioners, be released on bail, in the event of their 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) each 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



Dhangai P.S. Case No. 64 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., subject to the further conditions that:

(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.

(2) 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 her 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 petitioners 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)**

anand/-

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