

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73582 of 2022

Arising Out of PS. Case No.-547 Year-2022 Thana- KATIHAR NAGAR District- Katihar

KUNAL KUMAR @ KUNAL PASWAN Son of Deepak Paswan R/o
Gaushala, P.S.- Sahayak, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

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 Section 30 (a) of the Bihar
Prohibition and Excise Act, 2018.

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 20.25 liters of foreign liquor
is said to have recovered from the tempo. He submits that one
co-accused, namely, Rahul Kumar was apprehended by the
police, who disclosed the named of the petitioner. 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 Nagar Sahayak P.S. Case No. 547 of 2022, 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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