

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78357 of 2023

Arising Out of PS. Case No.-233 Year-2023 Thana- BALIYA District- Begusarai

RAHUL KUMAR SINGH Son of Sri kailash Prasad Singh R/o vill - Panhas,
P.s. - Town (Lohiya Nagar), Distt. - Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-12-2023 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 Sections 30(a) of the Bihar Prohibition & Excise Act, 2018.

3. Altogether 36 litres of foreign liquor has been recovered from boot of the bus. Petitioner is the owner of the seized bus. Two persons were apprehended on the spot.

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 any trade of liquor. He was not apprehended on the spot. His name has been transpired in the



present case merely because he is owner of the seized bus. The allegation levelled against the petitioner is totally false and based on concocted facts. There is no specific overt act against him. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five 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 Ballia P.S. Case No. 233 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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