

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77648 of 2023

Arising Out of PS. Case No.-64 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Pintu Kumar S/O Surendra Singh R/O Village- Karneji, P.S- Belsar O.P,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2023 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 272 & 273 of the Indian Penal Code and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 4968 liters of foreign liquor is said to have been recovered from the place of occurrence. One person was apprehended on the spot who disclosed the name of the petitioner. There is nothing on record to indicate the complicity of the petitioner barring the



confessional statement of the apprehended person which has no evidentiary value in the eye of law. A supplementary affidavit has been filed on behalf of the petitioner in which he stated that he is ready to payment of Rs. 1,00,000/- Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh) in account of Mahavir Cancer Sansthan, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch.

5. Learned APP for the State opposed the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, considering the statement made in the supplementary affidavit, 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 Muzaffarpur Sadar P.S. Case No. 64 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, subject to the further conditions that



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

(ii) 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.

(Anjani Kumar Sharan, J)

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