

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80449 of 2023

Arising Out of PS. Case No.-798 Year-2021 Thana- FATUA District- Patna

Shashi Kumar @ Shashikant Kumar S/O Krishna Rai R/O Village- Maujipur,
Ps. Nadi, Dist. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-12-2023 Heard Mr. Jay Ram Prasad, learned counsel for the
petitioner and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 30(a)
and 56(c) of the Bihar Prohibition and Excise Act.

3. 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 1979.28 liters of foreign
liquor is said to have recovered from the place of the
occurrence. He submits that one person was apprehended who
disclosed the name of the petitioner. He further submits that
during the course of investigation one person was apprehended
by the police who disclosed the name of the petitioner. He
submits that there is no recovery made from the conscious



possession of the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 10,000.00/- (Rupees Ten Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779 (fifth character is zero), Central Bank of India, Chitkohra Branch.

5. 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 six 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 Fatuha P.S. Case No. 798 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with further conditions:

(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.



6. 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 Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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