

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38585 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Ajit Kumar @ Ajeet Kumar @ Penter S/O- Vishnu Rai @ Bhishan Ray @
Bishnu Resident of village Lal Pokhar, P.S.- Hajipur Sadar, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 414 of the I.P.C. and Sections
30(a), 36, 41(i) 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 843.840 liters of foreign
liquor is said to have recovered from the pick-up van. He
submits the petitioner is neither owner nor driver of the seized
vehicle. He further submits that the petitioner is neither arrested
from spot nor any incriminating article recovered from the
conscious possession of the petitioner. The petitioner has seven



criminal antecedents and has been languishing in custody since 23.04.2023.

4. Petitioner is agreed to deposit a sum of Rs. 50,000/- (Rupees Fifty Thousand) in Mahavir Cancer Sansthan, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

5. 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 petitioner, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten 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 Hajipur Sadar P.S. Case No. 19 of 2023, subject to following 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 state on affidavit that he will inform the Court concerned if the petitioner is implicated in



any other case of similar nature after their 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.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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