

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67740 of 2024

Arising Out of PS. Case No.-59 Year-2020 Thana- SHAHPUR PATORI District- Samastipur

Amarendra Ray @ Amarendra Kumar Son of Late Shyam Sundar Ray R/o
Village- Maricha, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-10-2024 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Dilip Kumar No. 1, 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 and 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

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 86.406 litres of foreign liquor is said to have recovered from the Bolero. He submits that the occurrence is alleged to have taken place in a crowded area, however, during investigation, not a single witness has come



forward to support the prosecution case. He further submits that petitioner has two criminal antecedents of similar nature as stated in para-3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs.15,000/- (Rupees Fifteen 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, 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 the learned Court below where the case is pending/successor Court in connection with Patori P.S. Case No.59 of 2020, 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 how 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 his 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)

anand/-

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