

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78241 of 2024**

Arising Out of PS. Case No.-476 Year-2022 Thana- GORAUL District- Vaishali

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Golu Kumar Son of Mohit Rai @ Umesh Rai Resident of village- Salempur  
Dumariya, P.S- Goraul, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Asha Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      21-11-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with  
Goraul P.S. Case No. 476 of 2022 registered under Section 414  
of Indian Penal Code and Section 30(a) of Bihar Excise Act.

3. Altogether, 200 litres country made liquor was  
recovered from the motorcycle bearing Reg. No. BR31-AQ-  
8705. Apprehended person namely Bijli Yarath disclosed the  
name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner  
submits that petitioner is innocent and has falsely been  
implicated in the present case due to monopoly of the police.  
Further submission is that petitioner has no concern neither with  
the seized motorcycle nor with the illicit liquor. Nothing has



been recovered from the conscious possession of the petitioner. The name of the petitioner has come merely on the confessional statement of apprehended accused person. Petitioner has got no criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No.3332964762, Central Bank of India, Chitkohra Branch, IFSC Code :CBIN0282779 (fifth character is zero), MICR Code :800016018.

6. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of 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 Goraul P.S. Case No. 476 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., with the following conditions:

(i) 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.

(ii) 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 and thereafter the Court below will be at liberty to initiate proceeding for cancellation of anticipatory bail on the ground of misuse.

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 the account of Mahavir Cancer Sansthan.

8. However, learned Court below is directed to verify the criminal antecedent of the petitioner, before accepting his bail bond and if it is found that he has criminal antecedent, apart from the present case, the bail bond of the petitioner shall not be accepted.

**(Anjani Kumar Sharan, J)**

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