

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77153 of 2024

Arising Out of PS. Case No.-511 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Akash Kumar Son of Late Laddu Rajak @ Late Ram Laddu Rajak R/O- Gola
Road, Mirchai Mandi, Muzaffarpur, P.S. and Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Mukesh Kumar Jha, Advocate
For the Opposite Party/s :	Ms. Sharda Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2024 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 u/s 30(a) of Bihar Prohibition and
Excise Act.

3. Altogether 31.860 liters of foreign liquor is said to have
been recovered from demolished toilet of the house-cum-shop
of the petitioner.

4. It is submitted by learned counsel for the petitioner that
the petitioner is quite innocent and has committed no offence.
He has been falsely implicated in this case due to malicious
intention. No incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no



concern either with the seized liquor or any trade of liquor. He was not apprehended on the spot and his name transpired only on the basis of suspicion. It is also submitted that recovery has been made from a demolished toilet which is situated outside the building premises and it is an abandoned place. Petitioner has 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, Patna, bearing Account No.3332964762, IFSC Code: CBIN0282779, MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

6. Having regard to the facts and circumstances of the case, 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 learned Court below, where the case is pending/Successor court, in connection with Muzaffarpur Town P.S. Case No.511 of 2024, subject to the condition as laid down under Section 482 (2) of BNSS, 2023, 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 aforesaid amount in the account of Mahavir Cancer Sansthan.

(Anjani Kumar Sharan, J)

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