

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84650 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- KUNDWACHAINPUR District- East
Champaran

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Kush Kumar S/o Ram Swarath Prasad Yadav Resident of village- Jagirha, PS-
Kundwa Chainpur, District- East Champaran Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 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 under Section 30 (a) of the
Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this case.
He submits that no incriminating article has been recovered from
the conscious physical possession of the petitioner rather 156
liters of Nepali liquor is said to have been recovered from the
Tempoo. He submits that the petitioner is neither the driver nor
the owner of the seized vehicle. Petitioner has no criminal
antecedent as mentioned in para-3 of this application.

4. 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 (fifth character is zero), MICR Code: 800016018, Central Bank of India, Chitkohra Branch, Patna.

5. 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 Chainpur P.S. Case No. 151 of 2024, subject to the condition as laid down under Section 482 (2) of the B.N.S, subject to the further conditions that:

- (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 deposit of the aforesaid amount in the account of Mahavir Cancer Sansthan, Patna.

(Anjani Kumar Sharan, J)

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