

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85456 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- MAHUA District- Vaishali

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Golu Kumar @ Abhishek Kumar Son of Shri Devendra Patel @ Devendra
Mahto R/o vill - Chhitrauli, P.O. - Chhitrauli, P.S. - Mahua, Distt. - Vaishali
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hitesh Suman
For the Opposite Party/s : Mr.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 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 Sections 272, 273/34 of the Indian Penal Code and 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 45.945 liters of foreign liquor is said to have been recovered from the house of the petitioner which is joint family property. He submits that the apprehended person disclosed the name of the petitioner. He submits that the alleged house is in the name of his father. 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 Mahua P.S. Case No. 106 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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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