

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87544 of 2024**

Arising Out of PS. Case No.-369 Year-2017 Thana- MASHRAK District- Saran

Raj Kumar Singh Son of Late Shyam Narayan Singh Resident of Mashrakh  
Barhiya Tola, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Harish Kumar, Advocate

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

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

2      19-12-2024                      Heard Mr. Harish Kumar, 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 u/s 272, 273 of IPC and 30 (a), 30, 38, 41 of Bihar Prohibition and Excise Act.

3. Altogether 1200 liters of country made spirit is said to have been recovered from bolero pick up van of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. 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 has been falsely implicated in this case at the instance of his enemy. He was not



apprehended on the spot and his name transpired in the case only on the basis that he is the owner of the said vehicle but he had sold the vehicle to Md. Taqdeer but failed to get the vehicle transferred in his name. Petitioner has no criminal antecedent.

5. Petitioner is agreed to deposit a sum of Rs.20,000.00 (Rupees Twenty Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, Patna, bearing Account No.7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, 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 Mashrakh P.S. Case No.369 of 2017, subject to the condition 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 aforesaid amount in the Lawyer’s Association Welfare Benevolent Fund, Patna.

**(Anjani Kumar Sharan, J)**

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