

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69774 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- KALER District- Jehanabad

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AMIT SON OF SATISH KUMAR RESIDENT OF MUHALLA - D16,
GODAVARI APARTMENT NAGAR AUTHORITY BILASPUR KHURD
146, POLICE STATION - BILASPUR, DISTRICT - JAIPUR (RAJSTHAN)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Divya Bharti, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 07-03-2025 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, 2018.

3. Altogether 2070 liters of foreign liquor is said to have been recovered from a container bearing Reg. No. RJ14GN-8562. Driver of the said vehicle was apprehended on the spot.

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. 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 on the basis of disclosure made by apprehended driver of the said vehicle. It is submitted that the enemies of the petitioner in connivance with the police personal, planted a false story and implicated the petitioner only on the basis that he is owner of the said vehicle. Petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

5. A supplementary affidavit is filed on behalf of the petitioner and in para 2 of the supplementary affidavit, it is stated that the petitioner voluntarily undertake to deposit a sum of Rs.1,00,000.00 (Rupees One Lakh) in the account of Lawyers' Association Welfare Benevolent Fund, 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 Kaler P.S. Case No.04 of 2024, 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 account of Lawyers' Association Welfare Benevolent Fund, Patna.

(Anjani Kumar Sharan, J)

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