

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84600 of 2024

Arising Out of PS. Case No.-456 Year-2024 Thana- BUXAR District- Buxar

Ramesh Kumar @ Kallu Yadav Son of Late Ganga Singh Village- Chotaki Sarimpur, ward no 3,5 PS -Buxar town, Distt -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 23.55 litres of foreign liquor is said to have recovered from the joint house of the petitioner. He submits that the petitioner was not apprehended on the spot and his name transpired in the case on the basis that from his house, recovery has been made, but the said house belongs to co-accused, Ganesh Singh, who was apprehended from the spot



and the house is a joint family property, where other members also reside. The petitioner has three criminal antecedents, out of which, one is of similar nature and has been languishing in custody since 16.11.2024.

4. Petitioner is agreed to deposit a sum of Rs.5,000/- (Rupees Five Thousand) in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioner, let the above named petitioner, be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Buxar (Town) P.S. Case No.456 of 2024, subject to the further conditions that:

(1) 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.

(2) That 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 after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

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 Lawyer's Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

anand/-

U		T	
---	--	---	--

