

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87501 of 2024

Arising Out of PS. Case No.-211 Year-2021 Thana- RIGA District- Sitamarhi

Sanjeev Kumar @ Sanjiv Kumar S/o- Lallan Prasad Resident of Village- Ward No 11, Sonaul Subba Gharbara, PS- Majorganj District- Sitamarhi at present residing at Resident of Village- Ward No 01 Janki Sthan Naya Tola PS- Chakmahila District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv.

For the Opposite Party/s: Mr. Rabindra Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2025 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 under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Altogether 34 litres of illicit liquor has been recovered from the seized E-rickshaw. Driver Abhishek Kumar 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. No incriminating article has been recovered from the conscious possession of the petitioner or from his house. He



has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is totally false and based on concocted facts. He was not apprehended on the spot. His name has been transpired in the present case merely because he is the registered owner of the seized E-rickshaw, which had already been sold by the petitioner to one Pankaj Kumar. Learned counsel further submits that petitioner has one criminal antecedent as mentioned in para 3 of the bail application.

5. Petitioner is agreed to deposit a sum of Rs. 5,000.00 (Rupees Five Thousand) 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 Riga P.S. Case No. 211 of 2021, subject to the



condition as laid down under Section 482 (2) of the B.N.S.S., 2023, 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.

7. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the afore-said amount in the account of Lawyers' Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

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