

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No. 16452 of 2020**

Arising Out of PS. Case No.-62 Year-2020 Thana- MADHAURAH District- Saran

LAGAN RAUT @ AJAY KUMAR @ LAGAN KUMAR Son of Jaleshwar
Rawat @ Jaleshwar Raut Resident of Village - Narharpur, P.S.- Marhowrah
(Gaura O.P.), District- Saran at Chapra

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in the present case is seeking
anticipatory bail in connection with Marhowrah P.S. Case No.
62 of 2020 registered for the offences punishable under Sections
30 and 30(a) of Bihar Prohibition & Excise Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that no illicit liquor has been
recovered from the conscious possession of the petitioner and he
has no criminal antecedent.

Learned APP for the State has opposed the prayer for
anticipatory bail of the petitioner.



Considering the facts and circumstances of the case wherein, this Court has noticed that the illicit liquor has been recovered near bank of the river in the village Narharpur, police apprehended two persons and it is alleged that they disclosed the name of other two persons including the petitioner but save and except the statement of the apprehended accused, there is no other material to connect the petitioner with the present case as also that he has no criminal antecedent, there being no prima-facie material, let the petitioner above named in the event of his arrest or surrender within a period of four weeks from today in connection with Marhowrah P.S. Case No. 62 of 2020 be released on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge cum Special Judge, Excise, Saran, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade



him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

