

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 78476 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- LALGANJ District- Vaishali

1 DILIP RAI, son of late Lalbabu Rai
2 Bijendra Kumar, son of Ram Babu Rai, Residents of Village – Sararia, PS –
Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Ms.Anita Kumari

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 13-01-2020 Heard learned counsel for the petitioners and the learned
APP for the State.

The petitioners seek bail in Lalganj Police Station (for
brevity, *PS*) Case No 312 of 2019 dated 29.08.2019 instituted
for the offence punishable under Section (s) 30 (a), 32 (II), 41
(1) of Bihar Prohibition and Excise (Amendment) Act, 2018.

On secret information regarding trafficking of liquor, it is
alleged that the Bolero vehicle in question was stopped from
which 347 liters of Indian made foreign liquor is said to have
been recovered. Learned counsel for the petitioners submits that
they have been implicated in this case being bona fide
passengers in the vehicle in question. Vehicle belongs to co-
accused Dharmentdra @ Tikia and even, as per allegation made



in the first information report, no recovery whatsoever has been made from the petitioners' possession. Under such circumstances, petitioners are in custody since 29.08.2019. The earlier two cases, detailed in paragraph 3 of the petition, are for different offences and in those cases, petitioner No 1, who is an accused, has already been granted bail. In respect of petitioner No 2, it is submitted, that he bears no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Considering the aforesaid, let the petitioners, above named, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions II -cum- Special Judge, Excise, Vaishali in connection with Lalganj PS Case No 312 of 2019 dated 29.08.2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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