

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23587 of 2021**

Arising Out of PS. Case No.-370 Year-2020 Thana- LALGANJ District- Vaishali

Chandan Rai Son Of Umesh Rai R/O Village- Khanjahachak, P.S.- Lalganj,
District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Bela Singh, Advocate

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

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

2 13-09-2021 Heard learned counsel for the petitioner and Ms. Bela Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Lalganj P.S. Case No. 370/2020 registered for the offences punishable under Sections 420, 467, 468, 471, 353 of the Indian Penal Code and Section 30(a)(c)(d) 36, 41(i) of Bihar Prohibition and Excise Act, 2018. He is in custody since 02.01.2021.

As per the prosecution story, while the informant got information that some persons including this petitioner are involved in the trade of illegal liquor and they have kept the same in their house, the informant reached at the house of Laxmandeo Rai and on search 25 cartoons having sticker of Imperial blue liquor, one Khaki roll, five gallons having spirit like substance, several articles for sealing of bottles, rapper and other articles were

recovered and on search from the house of Guddu Rai 200 liters of spirit like substance were also recovered.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, there is no recovery of illicit liquor or packing materials from the house of this petitioner. Learned counsel submits that Laxmandeo Rai from whose possession the stickers and other packing material and raw materials were recovered has already been granted bail by learned coordinate Bench of this court vide order dated 24.07.2021 passed in Cr. Misc. No. 26017/2021. Petitioner has no criminal antecedent and is in custody since 02.01.2021.

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

Having regard to the facts and circumstances of the case wherein this court has been informed by learned counsel for the petitioner as well as learned A.P.P. for the State that there is no recovery of illicit liquor or the packing materials from the house of this petitioner and the co-accused Laxmandeo Rai from whose possession the stickers and other packing and raw materials were recovered has already been granted bail by learned coordinate Bench of this court vide order dated 24.07.2021 passed in Cr. Misc. No. 26017/2021, the petitioner has remained in custody in connection with this case since 02.01.2021 and has no criminal

antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – II – cum – Excise Court, Vaishali in connection with Lalganj P.S. Case No. 370/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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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'.