

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39863 of 2021

Arising Out of PS. Case No.-31 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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LALAN RAI Son of Late Gulabchand Rai @ Gulab Chandra Ray Resident of
Village - Sandhwara Lauwa @ Sanrhwara Lauvan, P.S.- Ishuapur, District -
Saran at Chapra. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-12-2021 Let the defect (s) be removed within two weeks of

the complete start of the physical Court.

Heard the parties.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
272,273,420,467,468,471,120(B) IPC and 30(a)/36/41(1) of the
Bihar Prohibition and Excise Act,2018.

Submission is that recovery of liquor is not alleged
from the possession of the petitioner or from the house of the
petitioner. Petitioner's name surfaced in the confessional
statement of co-accused before the police while in police
custody which is no evidence in the eyes of law. Petitioner has
got no criminal antecedent.

Considering lack of direct material against the
petitioner, let the petitioner, above named, in the event of his



arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Gaighat P.S.Case No.31 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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