

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4276 of 2022

Arising Out of PS. Case No.-325 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

LAXMI RAI Son of Late Mohar Rai Resident of Village - Manik Chowk
(South), P.s.- Runnisaaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 15-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
It is further submitted that there is no recovery from the conscious
possession of the petitioner rather 11.250 liters of foreign liquor
has been recovered from the straw room of the petitioner. It is
submitted that the *Chowkidar* has disclosed the name of the
petitioner saying that the petitioner has fled away from the
occurrence. It is also submitted that the said straw room does not
belong to the petitioner. It is lastly submitted that the petitioner has
got no criminal antecedent as stated in paragraph-3 of the bail
application.

Petitioner is agree to deposit a sum of Rs. 10,000/-



(rupees ten thousand) in Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB0141320, Punjab National Bank, Bar Council Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail 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 Additional District & Sessions Judge-II-cum-Special Judge (Excise), Sitamarhi in connection with Runnisaidpur P.S. Case No.325 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

The bail bond of the petitioner shall be accepted by the learned court below on showing receipt of the aforesaid amount deposited in the Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J.)

Sanjay/-

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