

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7913 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- PAROO District- Muzaffarpur

UDAY RAI SON OF VIRENDRA RAY (WRONGLY MENTIONED IN THE
F.I.R. AS SON OF LATE DEVENDRA RAY) R/O VILLAGE-
MOHAMADPUR, P.S.- PAROO, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 18414 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- PAROO District- Muzaffarpur

SONE LAL RAI SON OF LATE RAGHUVVEER RAY R/O VILLAGE-
MAHAMADPUR, P.S.- PAROO, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 20740 of 2022

Arising Out of PS. Case No.-447 Year-2021 Thana- PAROO District- Muzaffarpur

PRAMOD SAHANI Son of Late Jaga Sahani Resident of Village - Rampur
Kesho @ Malahi, P.S. - Paroo, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 7913 of 2022)

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Abhay Kumar Roy

(In CRIMINAL MISCELLANEOUS No. 18414 of 2022)

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 20740 of 2022)

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala



**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 01-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

All the cases arise out of the same police station case number as such they have been heard together and are being disposed of by this common order.

Heard learned counsel for the petitioners and the learned APP for the State.

This is an application for regular bail on behalf of the petitioners for the offences alleged under section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

As per allegation, the police raided the spot and four persons including the petitioners were apprehended in course of fleeing away. 35 liters of liquor was recovered from the place of occurrence.

Learned counsel for the petitioners- Udai Rai and Sone Lal Rai has submitted that the petitioners have no criminal antecedents and they petitioners are under custody since 19.11.2021. So far as petitioner Pramod Sahani is concerned, he has criminal antecedents as mentioned in para 3 of bail petition. He is also under custody since 19.11.2021.



Learned Addl. P.P. opposes the prayer for bail.

Considering the clean antecedents and the period of custody of the petitioners – Udai Rai and Sone Lal Rai, let them be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Special Judge Excise, Muzaffarpur in connection with Paroo P.S. Case no. 447 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

2. At the time of furnishing bail bond, the petitioners shall file an affidavit to the effect that he shall not indulge themselves in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

But the petitioner Pramod Sahani shall only be released on bail only after framing of the charge as well as after verification of the criminal antecedents on same condition as mentioned above. If it is found that he is accused in any other case except mentioned in para 3 of the



bail petition, he will not be entitled for privilege of bail.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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