

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27031 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- SONEPUR District- Saran

1. Lakshman Rai Son of Yogendra Rai Resident of Village - Sabalpur, Chai Tola, P.S. - Sonapur, District - Saran.
2. Bullet Rai Son of Bharat Rai Resident of Village - Pahleza Balli Tola, P.S. - Sonapur, District - Saran.
3. Lachachhu Rai Son of Bharat Rai Resident of Village - Pahleza Balli Tola, P.S. - Sonapur, District - Saran.
4. Ram Niwas Rai @ Mukesh Ranjan Son of Shiv Nath Rai Resident of Village - Sabalpur Nawal Tola, P.S. - Sonapur, District - Saran
5. Vinod Rai Son of Sakaldeep Rai Resident of Village - Sabalpur Nawal Tola, P.S. - Sonapur, District - Saran
6. Shiv Rai @ Shivji Rai Son of Sakaldeep Rai Resident of Village - Sabalpur Nawal Tola, P.S. - Sonapur, District - Saran
7. Pukar Rai Son of Munilal Rai Resident of Sabalpur Pachhiyari Tola, P.S. - Sonapur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1
For the Opposite Party/s : Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-01-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners undertakes to
remove the defects within four weeks of normal court proceedings.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Sonapur P.S.
Case No.28 of 2021, registered for the offences punishable under



Sections 30(a), 38 and 41(i) of the Bihar Prohibition and Excise Act.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. There is no recovery from the conscious possession of the petitioners rather 46 litres of country made liquor has been recovered from Sabalpur Diyara. Petitioners No.1 and 2 have got one criminal antecedent of the similar nature and rest of the petitioners have got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Petitioners are agree to deposit a sum of Rs.10,000/- (rupees ten thousand) each in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

In the facts and circumstances of the case, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like



amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Sonepur P.S. Case No.28 of 2021, subject to the conditions:

(1) Laid down under Section 438(2) of the Cr.P.C.

(2) One of the bailors would be close relative of the petitioners having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioners.

(3) If the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(4) The bail bonds of the petitioners shall be accepted by learned court below on showing receipt of deposit of Rs.10,000/- (rupees ten thousand) each in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

(Anjani Kumar Sharan, J.)

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