

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34615 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- RUPAULI District- Purnia

1. MONU KUMAR @ MANMA YADAV @ SINTU YADAV @ MOHU KUMAR Son of Shaligram Yadav Resident of Village - Vijay Lalganj, P.S.- Rupauli, (Mohanpur O.P.), Distt.- Purnea.
2. BITTU YADAV@RANVIJAY YADAV @ RANVIJAY RANA Son of Shaligram Yadav Resident of Village - Vijay Lalganj, P.S.- Rupauli, (Mohanpur O.P.), Distt.- Purnea.
3. SHALIGRAM YADAV Son of Late Medini Yadav Resident of Village - Vijay Lalganj, P.S.- Rupauli, (Mohanpur O.P.), Distt.- Purnea.
4. LALITA DEVI W/o Shaligram Yadav Resident of Village - Vijay Lalganj, P.S.- Rupauli, (Mohanpur O.P.), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 20-01-2022 Heard Mr. Arvind Kumar Sinha, learned Advocate

for the petitioners and Mr. Sanjay Kumar Sharma, learned

Additional Public Prosecutor for the State.

The petitioners seek bail in anticipation of their arrest
in connection with Rupauli P. S. Case No. 02 of 2021 instituted
for the offences under Section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

Five litres of liquor is said to have been recovered
from the joint house of the petitioners.

Learned counsel for the petitioners submits that the



said recovery cannot be saddled on all the members of the family.

Considering this aspect of the matter, this court is inclined to grant bail to petitioner nos. 3 and 4 who are parents of petitioner nos. 1 and 2 who appear to be persons of young age.

Petitioner nos. 3 and 4 are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Purnea in connection with Rupauli P. S. Case No. 02 of 2021, subject to the condition as laid down under Section 438 (2) Cr. P.C.

The prayer for grant of anticipatory bail to petitioner nos. 1 and 2 is rejected.

However, if the petitioner nos. 1 and 2 surrender before the Court below and seek bail, the court below shall consider the case on its own merits, without being prejudiced by the fact that the present anticipatory bail application on their behalf has not been entertained.



The application stands disposed of.

(Ashutosh Kumar, J)

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