

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35544 of 2022

Arising Out of PS. Case No.-370 Year-2020 Thana- LALGANJ District- Vaishali

1. Arjun Rai @ Arjun Kumar Son Of Late Mahavir Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali
2. Laxman Rai Son Of Late Mahavir Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali
3. Vikash Kumar Son Of Sri Lakchan Rai @ Laxman Dev Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali
4. Sanjay Kumar Son Of Sri Arjun Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali
5. Sunaina Devi Wife Of Sri Lakchan Rai @ Laxman Dev Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali
6. Vinay Rai Son Of Sri Arjun Rai Resident Of Village - Khajauli, P.S.- Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-12-2022 At the outset, It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application against petitioner nos. 1, 3 & 4..

Permission is accorded.

This application is dismissed as withdrawn against petitioner nos. 1, 3 & 4.

So far as rest of the petitioners are concerned, the instant application for anticipatory bail has been filed by the



petitioners apprehending their arrest in connection with Lalganj P.S. Case no. 370 of 2020 instituted for the offence under Sections 420, 467, 468, 471, 353 of IPC and Sections 30(a)(c) (d), 36, 41(i) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of a huge quantity of illicit liquor of different brands from house of co-accused Laxmandeo Rai and Guddu Rai.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. A statement has been made in para 3 of the petitioner that they have got no criminal antecedent. They have falsely been implicated in this present case. Petitioners have no concern with the alleged recovery illicit liquor or with the place of occurrence. It is further submitted that neither the petitioners were arrested nor any incriminating article has been recovered from their conscious or constructive possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners nos. 2, 5 & 6 on bail. The petitioners nos. 2, 5 & 6 is directed to surrender in the



Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Lalganj P.S. Case no. 370 of 2020, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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