

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37969 of 2022**

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

Shatrughan Ray, Son of Mahavir Ray, Resident of Village- Khajauli, P.S.-  
Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      02-09-2022      Heard learned counsel for the petitioner and learned  
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Lalganj P.S. Case No. 370 of 2020 registered for the alleged offences under Sections 420, 467, 468, 471 and 353 of the Indian Penal Code and Sections 30(a),(c)(d), 36 and 41(i) of the Bihar Prohibition and Excise Act, 2018.

As per prosecution case, police received information about petitioner and other accused persons dealing with illicit trade of liquor and keeping large quantity of it in their houses. Further allegation that they were packing the liquor and also



supplying the same. From the house of co-accused Laxmandeo Rai and Guddu Rai, apart from 200 litres of spirit from each house, a number of articles related with packing and sealing of illicit liquor were also recovered including the wrappers, caps, cocks and bottles. The petitioner was not apprehended from the spot.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The other co-accused Arun Rai has been granted bail vide order dated 20.06.2022 passed in Cr. Misc. No. 4958 of 2022, Laxmandeo Rai has been granted bail vide order dated 24.07.2021 passed in Cr. Misc. No. 26017 of 2021 and Chandan Rai has also been granted bail vide order dated 13.09.2021 passed in Cr. Misc. No. 23587 of 2021. The petitioner is in custody since 16.06.2022 and the charge-sheet has been submitted in this case. The petitioner has got clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the submissions made hereinabove and considering the fact that the petitioner was not apprehended from the spot and further considering the clean antecedent of the



petitioner and also considering the submission of charge-sheet along with his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Excise Court-I-cum-Additional Sessions Judge, Vaishali, in connection with Lalganj P.S. Case No. 370 of 2020, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be the deponent, who has sworn the affidavit.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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