

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40784 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- LALGANJ District- Vaishali

VIJAY RAI S/o Ramprit Rai R/o village- Sararia, P.S.- Lalganj, District-
Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 41079 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- LALGANJ District- Vaishali

1. RAKESH KUMAR @ BHONU @ RAKESH RAI Son of Guru Dayal Rai
Resident of Village- Sararia, P.s.- Lalganj, District - Vaishali.
2. Guru Dayal Rai Son of Bhukhari Roy Resident of Village- Sararia, P.s.-
Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 40784 of 2022)

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar

(In CRIMINAL MISCELLANEOUS No. 41079 of 2022)

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2022 Heard learned counsel for the petitioners and learned
APP for the State through virtual court proceedings.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 30(a) of
the Bihar Prohibition and Excise Act.



1.5 litres of Indian made foreign liuqor has been recovered from a Scorpio vehicle. The petitioners are said to have fled away from the place of occurrence.

Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application. It is submitted that nearby people disclosed the names of the petitioners and other co-accused persons. It is also submitted that petitioner no.2 of Cr. Misc. No.41079 of 2022 is the owner of the vehicle and petitioner no.1 of Cr. Misc. No.41079 of 2022 is the son of petitioner no.2. There is no recovery from the conscious possession of the petitioners.

Petitioners are agree to deposit a sum of Rs. 10,000/- (rupees ten thousand) each in Bihar State Legal Services Authority bearing Account No.0380000100252472, IFSC Code: PUNB0038000, Punjab National Bank, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, 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 Court of Exclusive Special Excise Court No.1-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No.135 of 2022, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be their own blood relatives, preferably, father, mother, brother, sister and/or their wife.

(ii) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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