

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48691 of 2022

Arising Out of PS. Case No.-450 Year-2021 Thana- LALGANJ District- Vaishali

1. JAI PRAKASH SAHNI Son of Shiv Lal Sahni Resident of Village - Lakempur, P.s.- Lalganj, Distt.- Vaishali.
2. Subhash Rai Son of Rambabu Rai Resident of Village - Lakempur, P.s.- Lalganj, Distt.- Vaishali.
3. Nawal Rai Son of Rajgir Rai Resident of Village - Lakempur, P.s.- Lalganj, Distt.- Vaishali.
4. Ramshankar Rai @ Lakhi Son of Suresh Rai Resident of Village - Lakempur, P.s.- Lalganj, Distt.- Vaishali.
5. Sonelal Rai Son of Rajgir Rai Resident of Village - Lakempur, P.s.- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

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

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 50 liters liquor from the bank of Gandak river along with 5000 litres raw java which was destroyed at the spot.



Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession, it is next submitted that the alleged recovery is from a place which is accessible to public at large and the petitioner came to be implicated based on disclosure made by local people but the name of local people is not disclosed in the F.I.R.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the 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 released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Lalganj P.S. Case No. 450 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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