

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53837 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- CHANAN District- Lakhisarai

1. Chitranjan Kora S/o Brahmdeo Kora Resident of Village- Kachhua, P.S.- Chanan, District- Lakhisarai.
2. Vijali Kora S/o Late Birbal Kora Resident of Village- Kachhua, P.S.- Chanan, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-11-2022 Heard learned counsel for the petitioners and
learned APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Chanan P.S. Case no. 68 of 2022 instituted for the offence under Section 30(a)(b)(c) of the Bihar Prohibition of Excise Act.

Prosecution case relates to recovery of total 95 liters illicit country made liquor as per the seizure list from Majhanawa forest.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case on the



basis of mere suspicion. Petitioners have no concern with the alleged recovery of 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 possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that the petitioner no.1 has got one and petitioner no.2 has got four criminal antecedent of similar nature.

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 petitioner on bail. The petitioner no.1 namely, Chitranjan Kora is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Chanan P.S. Case no. 68 of 2022, he 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 A.D.J. IV-cum-Exclusive Special Court NO.1, Lakhisarai subject to the conditions as laid down under section 438(2) of the Cr.P.C.

So far as petitioner no.2 namely, Vijali Kora is



concerned, he has having four criminal antecedent of similar nature, I am not inclined to grant bail to the petitioner no.2 and, as such, his application for bail is rejected.

However, if the petitioner no.2 namely, Vijali Kora surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order.

(Sunil Kumar Panwar, J)

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