

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60351 of 2022

Arising Out of PS. Case No.-155 Year-2022 Thana- LAKHISARAI District- Lakhisarai

SURENDRA RAM @ SUNNA Son of late Lalkeshwar Ram Resident of
Village - Bikkam, P.S.- Amahara, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66235 of 2022

Arising Out of PS. Case No.-155 Year-2022 Thana- LAKHISARAI District- Lakhisarai

PARO RAM Son of Bhuna Ram R/O Village- Bikkam, P.S- Lakhisarai
(Amhara), District- Lakhisarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 60351 of 2022)

For the Petitioner/s : Mr. Rajive Ranjan Singh

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara

(In CRIMINAL MISCELLANEOUS No. 66235 of 2022)

For the Petitioner/s : Mr. Rajnish Chandra

For the Opposite Party/s : Mr. Parmanand Prasad



CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-12-2022 Heard Ld. counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in connection with
Lakhisarai (Amahara) P.S. Case No. 155 of 2022, registered
for the offences punishable under Section 30(a) of the Bihar
Prohibition and Excise Act.

The prosecution story as emerges form the FIR is
that about 70 liters of country-made liquor has been
recovered.

Ld. counsel for the petitioners submit that the
petitioners are innocent and have falsely been implicated in
this case. He further submits that nothing has been
recovered from the conscious possession of the petitioner.

The petitioners, namely, Surendra Ram @ Sunna
and Paro Ram have been languishing in jail since
19.08.2022 and 02.08.2022, respectively.

It is also stated in paragraph no. 2 of the petition
that the petitioner, namely, Surendra Ram @ Sunna, has
earlier moved before this Court for grant of anticipatory bail



which was dismissed as withdrawn by order dated 09.09.2022 order passed in Cr. Misc. No. 32743 of 2022 and the petitioner, namely, Paro Ram has never moved before this Court either for grant of his anticipatory bail or regular bail.

It has further been stated that the petitioner, namely, Surendra Ram @ Sunna, has one criminal antecedents and the petitioner, namely, Paro Ram has five criminal antecedents.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.

Considering the aforesaid facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. Addition District and Sessions Judge-1, Lakhisarai, in connection with Lakhisarai (Amahara) P.S. Case No. 155 of 2022, on the following conditions:

(i) The petitioners will make themselves available



for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of



the petitioners.

The application stands allowed accordingly.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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