

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.571 of 2022

Arising Out of PS. Case No.-145 Year-2021 Thana- VAISHALI District- Vaishali

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1. Sone Lal Rai, S/O Mahesh Rai R/O Village- Sine, Ward No. 4, P.S.- Vaishali (Belsar O.P.), District- Vaishali
 2. Munni Devi, W/O Sone Lal Rai R/O Village- Sine, Ward No. 4, P.S.- Vaishali (Belsar O.P.), District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

Ms. Bela Singh

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioners and learned
APP for the State through video conferencing.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 272, 273, 34 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the allegation is of recovery of 06 litre of liquor from the house of co-accused and 7.2 litre of liquor from the petitioners' house.

The learned counsel for the petitioners submits that petitioners were not apprehended from the spot, as such, nothing was recovered from their conscious possession and the house is



a joint family property, as such, it cannot be alleged with certainty that the petitioners were aware that the liquor was kept in their house. It is next submitted that their name transpired in the statement of co-accused which has no evidentiary value.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioners and the fact that the petitioners are persons with clean antecedent and in the nature of allegation, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum 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 in connection with Vaishali (Belsar O.P.) P. S. Case No.145 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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