

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65589 of 2022

Arising Out of PS. Case No.-437 Year-2022 Thana- MALSALAMI District- Patna

Rajan Kumar @ Raj Kumar Rajan Son Of Lalan Kumar @ Lalan Yadav @
Lallan Roy @ Lal Resident Of Village/Mohalla- Bundel Toli, Pani Tanki,
P.S.- Malsalami, Patna City, Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with MalSalami P.S. Case no. 437 of 2022 instituted for the
offence under Sections 25(1-B)(a) 26/35 of the Arms Act and
30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 1.15 liters
illicit liquor and four country made pistols with live cartridges
from house of co-accused namely, Lallan Rai.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Petitioner is the son
of main co-accused namely, Lallan Rai due to which he has



falsely been made accused in this case. It is further submitted that he has no concern either with the alleged recovery of illicit liquor or pistols with cartridges. Neither the petitioner was apprehended on spot nor any incriminating article has been recovered from his conscious possession.

Learned APP appearing for the State has opposed the prayer of Bail.

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 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 MalSalami P.S. Case no. 437 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 Spl. Judge Excise Act, Patna City subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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