

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9452 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- SONEPUR District- Saran

RAJAN RAY Son of Jangali Ray Resident of Village- Fakrabad, P.S.-
Sonepur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Dhananjay Mishra, Advocate Mr. Nitesh Kumar Nirala, Advocate
For the State	:	Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

50 litres of country made liquor has been recovered from a motorcycle in Parmanandpur Chawar.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got four criminal antecedents, similar in nature, as stated in paragraph-3 of the bail application. It is further submitted that there is no recovery from conscious possession of the petitioner and the



place of occurrence is 6 k.m. away from the house of the petitioner. It is submitted that name of the petitioner has been brought in the FIR on the statement of villagers due to dirty village politics and on the indication of the local *Chowkidar* who was the *Bataidar* of petitioner's land, but in the year 2020, the petitioner has taken back his land and given to another villager.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Petitioner is agree to deposit a sum of Rs.20,000/- (rupees twenty thousand) in the account of Bihar State Bar Council Welfare Fund, bearing Account No.31861041899, IFSC Code: SBIN0010340, High Court Campus Branch, Patna.

Taking into consideration the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned IInd Exclusive Special Excise Judge, Saran at Chapra in connection with Sonapur P.S. Case No.85 of 2022, subject to the conditions laid



down under Section 438(2) of the Code of Criminal Procedure
as well as subject to the further conditions that:

(i) One of the bailors will be his own blood relative,
preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any
similar offence till conclusion of the trial.

The bail bond of the petitioner shall be accepted by
the learned court below on showing receipt of deposit of the
aforesaid amount in Bihar State Bar Council Welfare Fund.

(Anjani Kumar Sharan, J)

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