

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49499 of 2023

Arising Out of PS. Case No.-253 Year-2023 Thana- RUNISAIDPUR District- Sitamarhi

1. MUNNA LAHERI S/O CHHOTE LAHERI R/O Village- Athri, P.S-Runnisaidpur, Distt.- Sitamarhi.
2. Dharmendra Kapar S/O Ram Chandra Kapar R/O Village- Athri, P.S-Runnisaidpur, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Prohibition and Excise Act, 2022.

3. It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner rather 34.56 liters of foreign liquor is said to have been recovered from the courtyard of the petitioner. Petitioner has no concern either with the seized liquor or the place of recovery or any trade of liquor. The allegation levelled against the petitioner is not



specific rather general and omnibus in nature. The house of the petitioner is a joint house and is inhabited by his several family members. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

4. Petitioner is agreed to deposit a sum of Rs.10,000.00 (Rupees Ten Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No.1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Council Branch, Patna.

5. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 Court below where the case is pending/successor Court in connection with Runnisaipur P.S. Case No. 253 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C, 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.

6. The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Patna High Court Legal Services Committee, Patna.

(Anjani Kumar Sharan, J)

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