

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63106 of 2023

Arising Out of PS. Case No.-144 Year-2022 Thana- SONEPUR District- Saran

1. VIKASH RAI @ VIKASH KUMAR SON OF SURESH RAI RESIDENT OF VILLAGE - CHAKAPSAID, P.S. - SONPUR, DISTRICT - SARAN
2. BHARAT RAI @ SAURABH KUMAR SON OF VYAS RAI RESIDENT OF VILLAGE - CHAKAPSAID, P.S. - SONPUR, DISTRICT - SARAN
3. IKASH RAI @ IKASH KUMAR SON OF VYAS RAI RESIDENT OF VILLAGE - CHAKAPSAID, P.S. - SONPUR, DISTRICT - SARAN
4. RAJAN SHARMA @ RAJAN KUMAR SON OF SOMNATH SHARMA RESIDENT OF VILLAGE - CHAKAPSAID, P.S. - SONPUR, DISTRICT - SARAN
5. SANDIP SHARMA @ SANDIP KUMAR SON OF MANOJ SHARMA RESIDENT OF VILLAGE - CHAKAPSAID, P.S. - SONPUR, DISTRICT - SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas , Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners and the

State.

2. Petitioners apprehend arrest in a case registered for

the offence punishable under Section 30 (a), 41(i) of Bihar

Prohibition and Excise (Amendment) Act 2016 .



3. It is alleged that 50 liters of Indian made foreign liquor was recovered from from an open place .

4. It is submitted that the petitioners are innocent and have falsely been implicated in this case. Petitioners are neither driver nor owner of the tractor in question . No incriminating material has been recovered from the conscious possession of these petitioners and they are no way connected with the aforesaid recovery. Petitioner No. 3 claims clean antecedent.

5. Learned counsel for the State opposes the bail petition and submitted that Petitioner Nos. 1 , 2 , 4 and 5 have got one criminal antecedent of similar nature .

6. Considering the facts of the case, in the event of arrest/surrender within six weeks from today, let the petitioner No. 3 (Ikash Rai @ Ikash Kumar), above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Learned 2nd Exclusive Special Excise Court Saran at Chapra in connection with Sonepur Police Station Case No. 144 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

7. Considering the fact that Petitioner Nos. 1 , 2 , 4 and 5 have got criminal antecedents of similar nature , their



prayer for pre-arrest bail is rejected.

(Prabhat Kumar Singh, J)

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