

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75278 of 2023

Arising Out of PS. Case No.-156 Year-2021 Thana- KALYANPUR District- Samastipur

RAJ KUMAR SADA @ RAM KUMAR SADA, aged about 38 years, Male,
S/O- LATE BHUSHAN SADA @ LATE BHUPAN SADA, R/O- VILLAGE-
MALIPUR DHRUVGAMA, P.O.- SIMARIYA BHINDI, P.S.-
KALYANPUR, DIST.- SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar, Advocate

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-11-2023 Heard Mr. Ranjan Kumar, learned counsel appearing
on behalf of the petitioner and Mr. Mohammed Arif, learned
APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Kalyanpur P.S. Case No. 156 of 2021 registered for the
offence(s) punishable under Sections 272, 273 of the Indian
Penal Code and Section 30(a) of Bihar Prohibition and Excise
Act.

3. As per the allegation made in the FIR, total
303.93 litres of foreign liquor were recovered, out of which, 99
litres of foreign liquor were recovered from husk house of the
petitioner.

4. Learned counsel appearing on behalf of the



petitioner submitted that petitioner resides in a joint family and recovery is from the outside of the dwelling house of the petitioner which is easily accessible by anyone. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR as well as the quantity of recovery, this Court directs the petitioner to file his personal undertaking as well as undertaking of two respectable persons of the village before the court below to the extent that the petitioner will not involve in criminal case in future.

7. In case, such affidavit is filed on the date petitioner surrenders within a period of three weeks from the date of this order, the court below is directed to release the petitioner 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 Special Excise Court-01, Samastipur in connection with Kalyanpur P.S. Case No. 156 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal



antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

9. With the aforesaid observation/direction, the application stands disposed off

(Purnendu Singh, J)

Sanjay/-

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