

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13932 of 2024

Arising Out of PS. Case No.-667 Year-2022 Thana- RAJAOLI District- Nawada

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1. Vikash Kumar @ Vikash Yadav S/o Ramchandra Prasad @ Ramchandra Yadav R/o Vill - Manjhla Sem, P.S. - Rajauli, Dist. - Nawada
 2. Ramchandra Prasad @ Ramchandra Yadav S/o Rameshwar Yadav R/o Vill - Manjhla Sem, P.S. - Rajauli, Dist. - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Dr. Indihar Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Amit Ranjan, learned counsel appearing on behalf of the petitioners and Dr. Indihar Kumari, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Rajauli P.S. Case No. 667 of 2022 registered for the offence punishable under Sections 341, 323, 325, 308, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation made in the F.I.R., the petitioners used to run illegal business of liquor from the paddy field of the informant using Bolero Vehicle bearing registration no. JH 02AE 4056 and when the informant objected the petitioners not to run illegal business of liquor from his paddy



field, fierce fight between the parties took place and the petitioners brutally assaulted the informant causing injury on various parts of the body including that on head.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are not engaged in either sale or manufacture of liquor or smuggling from other State. The parties are gotiya and due to previous enmity, the informant has lodged a false case against the petitioners.

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

6. Considering the nature of allegation made in the F.I.R. as well as the fact that the allegation is that of storing illicit liquor in the paddy field of the informant and transporting the same using Bolero Vehicle No. JH 02AE 4056, the District Transport Officer, Nawada is directed to submit a report with respect to the vehicle bearing Registration No. JH 02AE 4056 to the District Court and the District Court upon verifying from the report if finds that the said vehicle is registered in the name of any of the petitioners, then in that case, the petitioner in whose name vehicle has been registered don't deserve to be released on bail and in case the vehicle is not found registered in the name of any of the petitioners and no F.I.R. has been lodged in that



regard, then in that case, in absence of any evidence with respect to any bottle of liquor found in the paddy field of the informant, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Nawada in connection with Rajauli P.S. Case No. 667 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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