

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74194 of 2024

Arising Out of PS. Case No.-95 Year-2024 Thana- JURAWANPUR District- Vaishali

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1. Vimla Devi Wife of Mantu Rai Resident Of Village- Deraganj, PS- Bakhtiyarpur, Distt.- Patna
 2. Sanjeet Kumar Son of Ram Prit Rai Resident Of Village- Lakhipur, PS- Salimpur, Distt.- Patna
 3. Sanjay Rai Son of Lalbabu Rai
 4. Arvind Rai Son of Rajendra Rai
Both Resident Of Village- Birpur, PS- Jurawanpur, Distt.- Vaishali
- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-10-2024 1. The learned counsel for the petitioners after arguing vehemently for sometime seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2,3 and 4.
2. Permission is accorded.
3. Accordingly, the anticipatory bail application is dismissed as withdrawn as against petitioner no.2,3 and 4.
4. Heard learned counsel for the petitioners as well as learned APP for the State.
5. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 25(1-b) a, 26, 27, 35 of the Arms Act and Section 30(a)



of the Bihar Prohibition and Excise Act in connection with Jurwanpur P.S. Case No.95 of 2024.

6. The learned counsel for the petitioners submit that the petitioner no.1 is person with clean antecedent and is a women and allegation is of recovery of two countrymade gun along with four live cartridges and 4.5 liters of liquor from a Scorpio vehicle. Further four empty cartridges were recovered from the disputed land and six vehicles were seized from the place of occurrence.

7. The learned counsel for the petitioners submit that the petitioner being owner of the tractor which was found parked near the place of occurrence came to be implicated. It is further submitted that petitioner is not the owner of the Scorpio vehicle from which liquor was seized. It is also submitted that the land of the petitioner is near the place of occurrence, as such the tractor had gone for ploughing the field when petitioner came to be implicated.

8. The learned APP for the State opposes the anticipatory bail application.

9. Considering the submissions made by the learned counsel for the petitioners, petitioner no.1 above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II-cum- Additional Sessions Judge, Vaishali at Hajipur in connection with Jurwanpur P.S. Case No.95 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

10.It is made clear that the learned trial court before accepting the bail bonds of the petitioner no.1 shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect.

11. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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