

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84187 of 2023

Arising Out of PS. Case No.-310 Year-2021 Thana- AWTARNAGAR District- Saran

Sanjit Rai S/O Chandrika Rai R/O Village- Santha, P.S- Awatarnagar, Distt.-
Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Awatarnagar P.S. Case No. 310 of 2021, registered for the offence punishable under Sections 30, 30(a) and 37(c) of the Bihar Prohibition and Excise Act..

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 100 litres of country made liquor is said to have been recovered from the place of occurrence. One person was apprehended on the spot and he disclosed the name of the petitioner that the petitioner had fled away from the spot and seized liquor belongs to the petitioner. Petitioner has no criminal antecedent mentioned in



Para 3 of the bail application.

4. Petitioner is agreed to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, Central Bank of India, Chitkohra Branch, IFSC Code: CBIN0282779 (fifth character is zero), MICR Code : 800016018.

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, 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 Awatarnagar P.S. Case No. 310 of 2021, 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 Mahavir Cancer Sansthan.



7. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that petitioner has criminal antecedent before this proceeding, then the bail bond of the petitioner can be cancelled.

(Anjani Kumar Sharan, J)

Ranjeet/-

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