

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3221 of 2025

Arising Out of PS. Case No.-477 Year-2021 Thana- SAHPUR District- Patna

1. Dharmendra Rai @ Dharmendra Kumar S/o Late Guru Rai @ Guru Prasad Rai @ Guru Ray R/o vill - Ganghara (Deochadra Bhagat Ka Tola), P.s. - Shahpur, Distt.- Patna
2. Vijay Rai S/o Late Keshav Rai @ Kesho Rai @ Ram Keshwar Rai R/o vill - Ganghara (Deochadra Bhagat Ka Tola), P.s. - Shahpur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-02-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offences punishable under Sections 30 (a), 30(c), 32(iii), 34, 36, 41, 56 of the Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioners rather 35 litres of spirit and 85 litres of spirit are said to have recovered from place of occurrence. He submits that the charges have been framed against the petitioners. He further submits that petitioners have



no criminal antecedent and have been languishing in custody since 05.09.2024.

4. Petitioners are agreed to deposit a sum of Rs.5,000.00 (Rupees Five Thousand) **each** in the account of Lawyer's Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

5. Having regard to the facts and circumstances of the case and the fact that there is nothing recovered from the conscious possession of the petitioners, let the above named petitioners on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Shahpur P.S. Case No.477 of 2021, subject to the further conditions that:

(1) That one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. He will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the bailor shall also state on affidavit that he



will inform the Court concerned if the petitioners are implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

6. The bail bond of the petitioners shall be accepted by the learned Court below on showing receipt of deposit of the aforesaid amount in the account of Lawyer's Association Welfare Benevolent Fund.

(Anjani Kumar Sharan, J)

anand/-

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