

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9707 of 2025

Arising Out of PS. Case No.-378 Year-2024 Thana- BACHHWARA District- Begusarai

1. Baiju Rai Son of Bigan Rai @ Digan Rai Resident of Village- Chamatha Sanjha Tol, Mantary Tol, PS- Bachhwara, District- Begusarai
2. Rohit Rai @ Rohit Kumar @ Rohit Kumar Rai Son of Baiju Rai Resident of Village- Chamatha Sanjha Tol, Mantary Tol, PS- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2025 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 Section 30 (a) 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 170 litres of country made liquor along with manufacturing articles is said to have recovered from the place of occurrence. He submits there is no compliance of provision of Section 103 of B.N.S. in preparation



of alleged seizure list. He further submits that petitioners have no criminal antecedents of similar nature and have been languishing in custody since 23.12.2024.

4. Petitioners are agreed to deposit a sum of Rs.5,000/- (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, be released on bail 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 Bachhwara P.S. Case No.378 of 2024, subject to 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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