

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85977 of 2024

Arising Out of PS. Case No.-76 Year-2022 Thana- Excise P.S. District- Vaishali

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Anil Rai @ Anil Kumar Son of Jagdish Rai village- Terasiya, ward no 13,
P.s.- Ganga Bridge, District -vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 30 (a), 30(c), 41(1), 41(2) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that there is no recovery from the conscious possession of the petitioner rather 800 litres of country made liquor is said to have recovered from the place of occurrence. He submits that the petitioner has not been apprehended on the spot and his name transpired in the case only on the basis of statement of local people. The petitioner has three criminal antecedents, out of which, two are of similar nature and has



been remanded in this case on 28.10.2024 and since then he has been languishing in custody.

4. Petitioner is agreed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand) 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 petitioner, let the above named petitioner, be released on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Hajipur Excise P.S. Case No.76 of 2022, subject to the further conditions that:

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

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



will inform the Court concerned if the petitioner is 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 petitioner 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)

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