

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86739 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- SONPUR RAIL P.S. District- Saran

1. Raj Kumar Son of Nawal Kishore Rai Village- Nawal Tola, P.S.- Sonepur, District -Saran
2. Lalbabu Kumar Son of Nagina Rai Village- Nawal Tola, P.S.- Sonepur, District -Saran
3. Dharmendra Kumar son of Nagina Rai Village- Nawal Tola, P.S.- Sonepur, District -Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Vasant Vikas, Advocate

Mr. Sandeep Kumar, Advocate

For the State : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Sonepur Rail PS. Case No.-84 of 2024 dated 21.04.2024, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 12.75 English liquor has been recovered from the possession of the co-accused.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that the nothing has been recovered from the possession of the petitioners and their name has been dragged in the confessional statement of the co-accused to the police. Hence, there is no legal material against the petitioners.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran at Chapra, in connection with Sonapur Rail PS. Case No.-84 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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