

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88409 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- GANGABRIDGE District- Vaishali

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Anil Rai @ Anil Kumar Son of Jagdish Rai, Resident of village- Terasiya
Ward No. 13, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Singh, Advocate
For the Opposite Party : Mr. Surendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 28-02-2025 Heard Mr. Dilip Kumar Singh, the learned counsel

for the petitioner and Mr. Surendra Kumar, the learned

Additional Public Prosecutor for the State.

2. The petitioner is in judicial custody in
connection with Ganga Bridge P.S. Case No. 150 of 2024,
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, lodged on 30.07.2024 by the
informant, Suman Saurabh.

3. As per the prosecution story, after receiving
information that co-accused persons carrying illegal liquor are
moving towards Hajipur *via* Korahi Pethiya Nawadakala, the
informant along with police personnel reached at the alleged
place and seized two cars while co-accused persons managed to
flee from the spot and from the cars altogether 540 litres of
illegal country made liquor was recovered.



4. Learned counsel for the petitioner submits that he has falsely been implicated in the present case, nothing has been recovered from his conscious possession nor any of the car belong to him. Further, without accepting the allegation and / or the outcome of the present petition, learned counsel for the petitioner submits that he wants to contribute Rs. 20,000/- to the District Legal Services Authority, Vaishali at Hajipur for the beautification of Civil Court Campus.

5. Learned Additional Public Prosecutor for the State on the other hand opposes the prayer submitting that he has criminal antecedents.

6. Considering the submissions put forward by the parties and also the fact that the cars do not belong to him nor anything has been recovered from his conscious possession and he is in custody since 18.11.2024, this Court is inclined to extend him the privilege of bail with conditions subject to payment of Rs. 20,000/- to the District Legal Services Authority, Vaishali at Hajipur for the beautification of Civil Court Campus, which has to be submitted by way of Bank Draft addressed to the District Legal Services Authority, Vaishali at Hajipur at the time of execution of bail bond.

7. Let the petitioner, above named, be released on



bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No. 1-cum-Additional District & Sessions Judge, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No. 150 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member / relative of the petitioner who shall provide official document to show is bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for the next six months to mark his attendance;

(iv) the petitioner shall, in no way, try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty



to take steps for cancellation of his bail bonds.

8. Let a copy of the order be sent to the Principal
District Judge, Vaishali at Hajipur for his perusal and needful.

(Rajiv Roy, J)

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