

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43260 of 2017

Arising Out of PS.Case No. -214 Year- 2017 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Lalji Singh, son of Butan Singh, Resident of Village- Ojirganj, P.S.
Karvandiya, P.S. Sasaram (M), District: Rohtas.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Sasaram
(Muffasil) P.S. Case No. 214 of 2017 for offences punishable
under Sections 30 (a), 38 (1) (ii), 41 (i) (ii) of the Bihar
Prohibition and Excise Act, and Section 33, 41, 42 of the Indian
Forest Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they intercepted a truck
which had unloaded illegal liquor and a motorcycle was also
parked nearby. While all persons managed to flee away one
Guddu Sonkar was apprehended. One motorcycle and 792 liters of
country made wine and foreign liquor loaded on a truck was



recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and was not apprehended by the police and just because the motorcycle belongs to him, he has been made accused in the present case. He submits that the motorcycle was taken by the said person and nothing has been recovered from his conscious possession. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and that he is languishing in judicial custody since 20.06.2016.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record and that the petitioner does not have criminal antecedent, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Rohtas at Sasaram in connection with Sasaram (Muffasil) P.S. Case No. 214 of 2017, subject to the conditions that:

- (1) Both bailors would be close relative of the petitioner having sufficient immovable property, who will file an



affidavit stating their relationship with the petitioner.

- (2) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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