

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1874 of 2018

Arising Out of PS.Case No. -337 Year- 2017 Thana -MARHAURA District- SARAN

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Lalan Rai Son of Gulab Rai Resident of Lauva, Police Station - Isuapur,
District - Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar Tiwary, Advocate
For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Madhoura P.S. Case No.
337 of 2017 registered under Sections 30, 38 and 41 of the Bihar
Excise Act, 2016 and Sections 188 and 120B/34 of the Indian
Penal Code.

1062 litres of foreign liquor is said to have been
recovered from the Bolero and Truck in the course of loading the
same on the said vehicle and fourteen accused persons named in
the written report, who were involved in the occurrence managed
to escape.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious



physical possession of the petitioner. The petitioner was not apprehended on the spot. He has no concern either with the seized vehicle or with the seized liquor. He has been languishing in custody since 06.11.2017. Similarly situated co-accused, namely, Sonu Rai @ Sonu, Manish @ Manish Kumar and Guddu Tiwari @ Guddu Kumar Tiwary have been enlarged on bail by different co-ordinate benches of this court.

Considering the facts aforesaid, the above named petitioner is directed to 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 the learned Additional District and Sessions Judge-VI, Saran in connection with Madhoura P.S. Case No. 337 of 2017.

(Prakash Chandra Jaiswal, J)

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