

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46219 of 2018

Arising Out of PS. Case No.-99 Year-2018 Thana- LAKHNAUR District- Madhubani

Lal Babu Deo @ Nawin Kumar Deo S/o Kameshwer Deo, R/o Vill.- Adalpur,
P.O.- Bahut, P.S.- Lakhanaur, R.S.O.P.- Jhanjharpur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Rajesh Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 30-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Lakhanaur R.S.O.P. P.S. Case No. 99 of 2018 registered under
Sections 272, 273 of I.P.C. and Section 30(a) of Bihar
Prohibition Excise Act, 2016.

29.250 lts. of foreign liquor is said to have been
recovered from possession of co-accused, namely, Umesh
Kamat and Tirpit Yadav. As per account of apprehended
accused persons, petitioner had accorded them the aforesaid
liquor for its delivery to Jagdish Ram.

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



physical possession of the petitioner. He has no concern either with the seized liquor or with any trade of liquor. He has been falsely implicated in this case by the aforesaid apprehended accused persons due to ulterior motive. Barring the aforesaid disclosure of the aforesaid accused persons, there is nothing in the record indicating complicity of the petitioner in the occurrence. He was not apprehended on the spot. Though, one more case under Excise Act has been lodged against the petitioner, but he is on bail in the said case. He has been languishing in custody since 8.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-II-cum-Special Judge, Excise, Madhubani in connection with Lakhanaur R.S.O.P. P.S. Case No. 99 of 2018.

(Prakash Chandra Jaiswal, J)

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