

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14487 of 2018

Arising Out of PS.Case No. -189 Year- 2017 Thana -UDWANTNAGAR District- BHOJPUR

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1. Lagan Singh S/o Sudhan Singh, R/o Village- Darshan Chhapra, P.S.-
Udawanagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-03-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.12.2017 in connection with Udwanagar P.S. Case No. 189
of 2017, Excise Case No. 2222/2017 for offences punishable
under Section 30(A) of the Bihar Prohibition and Excise Act,
2016.

The prosecution case, as lodged by the police
personnel, is that on secret information that some persons are
involved in manufacturing and trade of illicit liquor, the police
reached there and four persons who had containers in their hands,
threw their containers and managed to flee away. The local people



took the name of petitioner and other three persons involved in the said offence. 40 litres of country-made mahua wine was recovered from the said containers.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been sufficiently punished. He submits that charge-sheet has already been submitted, there is no allegation of tampering of the prosecution witnesses by the petitioner and one of the co-accused named by the local people has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 45934 of 2017 vide order dated 19.09.2017.

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

Considering the facts and circumstances and the materials on record, 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 A.D.J.- IV, Bhojpur at Ara, in connection with Udwant Nagar P.S. Case No. 189 of 2017, Excise Case No. 2222/2017, subject to the following conditions :

- (i) One of the bailors would be a close relative of the



petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

- (ii) 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)

Rajesh/-

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