

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8820 of 2019

Arising Out of PS. Case No.-55 Year-2018 Thana- ROSERA District- Samastipur

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Lal Babu Prasad @ Lal Babu Singh @ Lalbabu Prasad @ Lalbabu Singh S/o
Ramashray Mahto R/o Village- Madhutola, P.S-Khanpur, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-02-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Rosera P.S. Case No. 55/2018
dated 18.02.2018 instituted for the offences under
Sections 38, 47, 30(a) and 30(d) of the Bihar
Prohibition & Excise Act.

Approximately, 76.44 litres of liquor is said to
have been recovered from a Bolero vehicle which was
intercepted by the Police. One of the co-accused persons
namely, Mukesh Kumar Singh who was arrested, has
named the petitioner.



Learned counsel for the petitioner submits that there has been no recovery either from him or from his constructive possession. The petitioner does not lay any claim over the Bolero vehicle or the consignment of liquor which is said to have been seized.

Regard being had to the aforesaid facts and also the clean antecedent of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge III-cum-Special Judge Excise, Samastipur in connection with Rosera P.S. Case No. 55/2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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