

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22863 of 2019

Arising Out of PS. Case No.-280 Year-2018 Thana- WARISNAGAR District- Samastipur

Lalit Kumar Ray @ Lalit Ray, aged about 38 years (Male), Son of Muneshwar Ray, Resident of Village - Madapur Chara, Dobarbanna, Police Station-Warisanagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 10-04-2019 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 273 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

11.340 litres of foreign liquor is said to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern with the seized liquor. He has been falsely implicated in the case. The house of the petitioner is inhabited by several family members and he had no knowledge of keeping of the



said liquor in the house. There is violation of Section 100 Cr.P.C. He was not apprehended on the spot. He has no criminal antecedent and has been languishing in custody since 13.02.2019.

On the other hand, learned APP for the State opposed the prayer for bail.

In the facts and circumstances of the case, 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 Sessions Judge-3rd cum Special Judge, Excise Act, Samastipur in connection with Warisnagar P.S. Case No. 280 of 2018.

(Prakash Chandra Jaiswal, J)

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