

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54639 of 2019

Arising Out of PS. Case No.-26 Year-2018 Thana- RAHIKA District- Madhubani

MD. LAL BABU S/o Late Md. Islam R/o Village- Tulsipatti, P.S.- Rajnagar,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Thakur

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 30-09-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under section
30(a) of Bihar Excise Act, 2018 and sections 272,273 of the
IPC.

Allegation is of recovery of 495 litres country made
liquor originating from Nepal from Mahendra Jeep of the
petitioner.

It is submitted by counsel for the petitioner that since
jeep in question was plied by his driver he has no knowledge
about the contents thereon. It is submitted that carrying of such
prohibited article with petitioner's consent on the vehicle
registered in his own name is highly improbable.

Petitioner has no criminal antecedent and it is clear



case of false implication. Petitioner is in custody since 01.07.2019.

Considering the aforesaid submissions, prayer for bail is allowed.

Let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II-cum-Special Judge, Excise Madhubani in Rahika P.S. Case no. 26/2018 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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