

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23254 of 2020

Arising Out of PS. Case No.-122 Year-2020 Thana- BANIAPUR District- Saran

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LALAN RAM @ LALLAN RAM Son of Late Sukul Ram Resident of
Village - Bedauli, P.S.- Baniyapur, Distt.- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Baniyapur P.S. Case No.
122 of 2020, registered for the offence punishable punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

40 litres of country made liquor is said to have been
recovered from bush behind the house of petitioner.

It is submitted that petitioner has falsely been
implicated in this case. Nothing has been recovered from
conscious possession of this petitioner. Recovery has been
made from open place which is accessible to general public. The



provision of section 100 Cr.P.C has not been followed. Petitioner is in custody since 15.05.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, 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 2nd Additional Sessions Judge-cum-Special Judge Excise, Saran at Chapra in connection with Baniyapur P.S. Case No. 122 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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