

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10995 of 2021

Arising Out of PS. Case No.-193 Year-2020 Thana- DAGARUA District- Purnia

=====

Lalan Kumar, S/o Upendra Sah, Resident of Village- Jolahaniya, Ward No. -3,
P.S.- Pipra, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vivek Kumar, Advocate

For the Opposite Party/s : Ms.Anita Kumari Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2021 The matter has been taken up today for consideration
through video conferencing.

The learned counsels are appearing and making
submissions from their residence. The Court Master and
Secretary are also part of this virtual Court proceedings from
their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Special
Excise Case No.473 of 2020 arising out of Dagurua P.S. Case
No.193 of 2020 registered for the offence punishable under
Sections 272, 273 of the Indian Penal Code and Section 30(a)
of the Bihar Prohibition and Excise Act, 2016.

173.41 litres illicit foreign liquor has allegedly been



recovered from a Magic vehicle. Petitioner is stated to be Driver.

Petitioner's counsel submit that the petitioner is merely a Driver of the vehicle and was driving the same professionally without knowing the fact that any liquor has been loaded in the vehicle in question. He having no criminal antecedents is in custody since 13.11.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released 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 court of learned Special Judge, Excise, Purnia, in connection with Special Excise Case No.473 of 2020 arising out of Dagarua P.S. Case No.193 of 2020, subject to the following conditions:

- (i) 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.

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

(Madhuresh Prasad, J)

PNM

U		T	
---	--	---	--

