

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25294 of 2020**

Arising Out of PS. Case No.-9 Year-2020 Thana- JALE District- Darbhanga

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Lalit Nayak Son of Shri Chandeshwar Nayak Resident of Village - Latraha
(Katraul), P.O. and P.S.- Jale, District - Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Amrit Abhijat, Advocate

For the State : Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 24-02-2021

Heard learned counsel for the petitioner and learned

APP for the State. Learned counsel for the petitioner has filed an undertaking to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner, who is in custody since 17.01.2020, has renewed his prayer for bail in connection with G.O. Case No. 75 of 2020 arising out of Jale (Jalley) P.S. Case No. 09 of 2020 for the offences alleged under Section 30(a) of the Bihar Prohibition and Excise Act, 2016 having earlier been rejected by this Court by order dated 25.06.2020 in Criminal Miscellaneous No. 16591 of 2020.

3. It is submitted that the petitioner has been falsely implicated in connection with recovery of 2476.80 litres of illicit liquor. It is submitted that the petitioner was merely returning



after closing his shop namely, Mahalakshmi Sweets, when he was apprehended near the place of occurrence. A copy of the lease agreement of his shop has also been enclosed with the petition. The petitioner has suffered more than one year in custody.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 17.01.2020, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge (Excise), Darbhanga in connection with G.O. Case No. 75 of 2020 arising out of Jale (Jalley) P.S. Case No. 09 of 2020, if he is not otherwise required in any other case, with condition that he shall not repeat the same offence,

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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