

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45922 of 2021

Arising Out of PS. Case No.-551 Year-2019 Thana- BAGHA District- West Champaran

LALAN KUSHWAHA S/O SRI VIJAY @ TIKA KUSHWAHA R/o village-
Jangal, Danveerpur, Shivmandir Tola, P.S.- Kotwali Padrauna, District-
Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma- Advocate

For the Opposite Party/s : Mr. Harendra Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-12-2021 Heard the learned Advocate for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Bagaha P.
S. Case No.551 of 2019, instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The learned counsel for the petitioner submits that the
petitioner is in custody since 01.03.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

Allegation is of recovery of 1062.720 litre of liquor
from a pick-up van as detailed in the F.I.R.

The learned counsel for the petitioner submits that
petitioner was not apprehended at the spot and his name



transpired in the confessional statement of the co-accused, who were apprehended, who disclosed that the land and the liquor belong to the petitioner. The learned counsel submits that he had given pick-van to Jibril Sah and it was Jibril Sah, who was apprehended and in order to save himself has falsely implicated the petitioner.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody since 01.03.2021, he is a person with clean antecedent and charge-sheet has been submitted in this case, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, West Champaran, Bettiah in connection with Bagaha P. S. Case No.551 of 2019.

The application stands allowed.

(Satyavrat Verma, J)

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