

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49948 of 2021

Arising Out of PS. Case No.-101 Year-2019 Thana- ANGARGHAT District- Samastipur

LAKSHMAN RAI @ LAXMAN RAI S/o LATE RAM SAGAR RAI R/o
VILLAGE-MEHASHI, P.S-BIBHUTIPUR, DISTRICT-SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Awadhesh Kumar
	:	Mr.Shashikant Amar
For the Opposite Party/s	:	Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-09-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of Angarghat P.S. Case No. 101 of 2019 registered for the offence punishable under Sections 30(a) and 32 (2) of the Bihar Prohibition and Excise Act, 2016.

According to the prosecution's case 860 liters of Indian made foreign liquor was recovered from a pick-up van registered in the name of the petitioner. The petitioner's prayer for regular bail was earlier rejected by an order of this Court dated 10.09.2020 passed in Cr. Misc. No. 22236 of 2020. The application was rejected on two counts. Firstly, the quantity of



liquor seized was considered to be huge and secondly, the petitioner was found to be tampering with the evidence and manufacturing evidence to create defence in his favour to establish that he was not the registered owner of the said vehicle.

Learned counsel appearing on behalf of the petitioner has submitted that he has already remained in custody after earlier rejection of his bail vide order dated 10.09.2020 for more than a year. He has further submitted that the petitioner in custody since 13.03.2020 and there is no likelihood of conclusion of trail in the near future.

Considering the facts and circumstances, as noted above, this application is allowed.

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 learned Court of Additional Sessions Judge II-cum-Special Judge, Excise, Samastipur in Angarghat P.S. Case No. 101 of 2019.

(Chakradhari Sharan Singh, J)

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