

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9865 of 2021**

Arising Out of PS. Case No.-164 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Lalji Prasad @ LalaJi Prasad, Male, Age 41 years, Son of Late Baijnath Mahto R/O Mohalla- Hathi Chowk Chakwasu, P.S.- Mithanpura, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ratneshwar Prasad
For the Opposite Party/s : Mr.P.K.Pandey,APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 25-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Muzaffarpur Excise Case No. 164 of 2020 (P.R. No. 08 of 2020), registered for the offence under Section 30(a) of Bihar Prohibition and Excise Act.

30.750 liters of foreign liquor has been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. In fact, recovery has been made from a house, which is in joint possession of the family. Petitioner claims clean antecedent and



he is in custody since 12.10.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the nature of allegation and period of custody, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Special Judge, Excise Act, Muzaffarpur in connection with Muzaffarpur Excise Case No. 164 of 2020 (P.R. No. - 08 of 2020), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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