

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4844 of 2022

Arising Out of PS. Case No.-838 Year-2021 Thana- GARKHA District- Saran

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LAVKUSH KUMAR RAI SON OF TULSHI RAY RESIDENT OF
VILLAGE- NARAYANPUR, POLICE STATION- GARKHA, DISTRICT-
SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ankur Prakash Sinha

For the Opposite Party/s : Mr.Ashok Kumar

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-05-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

This is an application for regular bail on behalf of

the petitioner for the offences alleged under Sections 30(a), 36

and 41 of the Bihar Prohibition and Excise Act, registered in

connection with Garkha P.S.Case No. 838 of 2021.

The learned counsel for the petitioner has submitted

that the petitioner is the driver of truck wherefrom 155 litres of

country-made liquor and 520 ml of foreign liquor were

recovered. He has submitted further that the petitioner was not



aware as to what consignment was loaded in the truck by the owner. He has next submitted that the petitioner is a person of clean antecedents and he is in custody since 15.12.2021.

Considering the above facts and circumstances, 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 learned Additional District and Sessions Judge-II-cum-Special Judge, Excise, Saran at Chapra, in connection with Garkha P.S.Case No. 838 of 2021, subject to the following conditions:-

1. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

2. At the time of furnishing bail bond, the petitioner shall file an affidavit to the effect that he shall not indulge himself in future in the similar type of offence. If it is found so, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.



Office shall ensure that all defects are removed by the petitioner within the stipulated time as provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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