

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9018 of 2022

Arising Out of PS. Case No.-203 Year-2020 Thana- SINGHIYA District- Samastipur

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LALIT SHARMA @ LALIT KUMAR SHARMA Son of Ramnandan Sharma
Resident of Village - Shripur Mauaan, P.s.- Singhia, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-06-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 30(a) of the Bihar Prohibition
and Excise Act.

Recovery is of 903.750 liters of Indian made
foreign liquor.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case on the
basis of suspicion. He further submits that nothing has been
recovered from the conscious possession of the petitioner
rather the alleged recovery has been made from brick kiln



and the petitioner has no concern with the alleged recovery. He further submits that there is no compliance of Section 100 of the Cr.P.C. He further submits that similarly situated co-accused, namely, Ranjay Singh, Bimlesh Mukhiya @ Vimlesh Mukhiya and Shankar Shambhu Mukhiya have already been granted bail by a co-ordinate Bench of this Court vide order dated 05.07.2021, 07.10.2021 and 17.12.2021 passed in Cr. Misc. No. 25733 of 2021, Cr. Misc. No. 37074 of 2021 and Cr. Misc. No. 41551 of 2021 respectively. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Singhia P.S. Case No. 203 of 2020 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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