

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12820 of 2022**

Arising Out of PS. Case No.-149 Year-2021 Thana- SIWAIPATTI District- Muzaffarpur

LALBABU PRASAD SON OF RAMKRIT BHAGAT R/O VILLAGE-  
KASHI PAKRI, P.S.- RAJEPUR, DISTRICT- EAST CHAMPARAN. BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                                    |
|--------------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Yogesh Chandra Verma, Sr. Advocate<br>Mr. Anuj Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Kanhaiya Kishore, APP                                          |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY  
ORAL ORDER**

2      11-04-2022

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections, 272, 273, 120B and 34 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

As per the prosecution case, 105 litres of liquor was recovered from the vehicle in which the petitioner was also one of its occupants. Besides the liquor it is stated that Rs. 1.55 lacs (approx) was also recovered from the petitioner's possession. It is further stated that 35 litres of spirit was recovered from a motorcycle and 1000 litres of spirit was recovered on disclosure by the accused persons.

It is submitted by learned senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. He has no criminal antecedent and is in custody since 25.11.2021. Charge sheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and tak-



ing into consideration the facts of the case together with the petitioner not having any criminal antecedent and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Siwaipatti P.S. Case no. 149 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court no. 1, Muzaffarpur.

It is further directed that the learned trial Court will obtain a report from the Superintendent of Police, Muzaffarpur with respect to the criminal antecedent of the petitioner and in case the petitioner has any antecedent, the learned trial Court will proceed to cancel the bail bond of the petitioner.

It is made clear that for obtaining the report with respect to antecedent of the petitioner, the release of the petitioner from custody pursuant to grant of bail by the instant order shall not be delayed.

**(Partha Sarthy, J)**

Prakash/-

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