

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.16619 of 2022**

Arising Out of PS. Case No.-167 Year-2020 Thana- BIBHUTIPUR District- Samastipur

Lalbabu Rai Son Of Mahavir Rai R/O Village- Samartha Bibhutipur, P.S.-  
Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha

For the Opposite Party/s : Mr.Kanhaiya Kihore(App.100)

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

2      20-05-2022                      Heard learned counsel for the petitioner and learned  
A.P.P for the State through video conferencing.

The petitioner seeks bail in Bibhutipur P.S. Case No.  
167 of 2020, registered for the offence punishable punishable  
under Sections 272, 273 of the Indian Penal Code and section  
30(a) of the Bihar Prohibition and Excise Act, 2016.

5418 litres of foreign liquor has been recovered from  
two vehicles. Petitioner is alleged to be intended purchaser of  
the consignment.

It is submitted that no recovery has been made from  
conscious possession of this petitioner and he has been made  
accused on the basis of confessional statement of co-accused  
Kamlesh Kumar Mahto. Petitioner has got no concern with the  
seized liquor. Petitioner is in custody since 27.09.2021 having



no criminal antecedent, as stated in para 3 of the petition.  
Investigation is complete.

Considering the period of custody coupled with the fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 Special Excise Court-1, Samastipur in connection with Bibhutipur P.S. Case No. 167 of 2020.

**(Prabhat Kumar Singh, J)**

vinita/-

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