

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19170 of 2022

Arising Out of PS. Case No.-109 Year-2021 Thana- DEO District- Aurangabad

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LALLU KUMAR S/o Ram Ekbal Yadav R/o village- Kanchanpur, Eraura,
P.S.- Deo, District- Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-08-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

40 liters of country made *Mahua* wine has been recovered from a motorcycle. The allegation against the petitioner is that after seeing the police, the petitioner fled away from the place of occurrence leaving his motorcycle.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no recovery from the conscious possession of the petitioner. The petitioner is made accused in this case as the motorcycle belongs to the



petitioner. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application.

Petitioner is ready to deposit a sum of Rs.20,000/- (rupees twenty thousand) in Bihar Kishore Nyay Nidhi, Apna Ghar, Near Lalit Bhawan, Bailey Road, Patna bearing Saving Bank Account No.35094613009, State Bank of India, Branch Name Patna Secretariat Sinchai Bhawan, Branch Code-153, IFSC Code-SBIN0000153.

Taking into consideration the fact aforesaid and the fact that there is no recovery from the conscious possession of the petitioner, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Act-Ist, Aurangabad in connection with Deo P.S. Case No.109 of 2021, subject to the conditions laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the further conditions that:

(i) One of the bailors will be own blood relative of the petitioner, preferably, father, mother, brother, sister and/or his



wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(Anjani Kumar Sharan, J)

Sanjay/-

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