

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22506 of 2022

Arising Out of PS. Case No.-364 Year-2021 Thana- PARSA District- Saran

Laxman Roy, S/o Ram Sundar Ray R/o village- West Rauja, P.S.- Chapra
Town, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kalyan Shankar, Advocate

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Parsa P.S. Case No. 364 of 2021 registered for the alleged offences under Sections 30 (a), 36, 41 (i) of Bihar Prohibition and Excise Act, 2018.

The prosecution case is that from a truck, 2975 liters of illicit liquor was recovered which was concealed in the body of the truck behind the seat of driver by welding an iron sheet. The name of the petitioner and other co-accused persons transpired during investigation as the persons, who were



involved in buying and selling of illicit liquor.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from his possession. He has not been apprehended from the spot. There is not an iota of evidence against this petitioner. The other co-accused persons have been granted bail by Coordinate Benches of this Court in Cr. Misc. Nos.3612 of 2022, 3985 of 2022, 4365 of 2022 and 3803 of 2022. The case of the petitioner stands on similar footing. The charge sheet has been submitted in this case and the petitioner is in custody since 03.03.2022.

Learned APP opposes the prayer for bail submitting that huge quantity of liquor has been recovered and the petitioner is having criminal antecedents.

Having regard to the submissions made hereinabove and considering the fact that the similarly placed co-accused were granted bail by the Co-ordinate Benches and that the charge sheet has been submitted in this case and the petitioner is in custody since 03.03.2022, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 10th Additional



Sessions Judge-cum-Special Excise Court, Saran at Chapra in connection with Parsa P.S. Case No. 364 of 2021 subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One bailor will be the deponent, who has sworn the affidavit, and another bailor will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) The petitioner will not commit similar type of offences in future.
- (v) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

V.K.Pandey/-

(Arun Kumar Jha, J)

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