

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45188 of 2021**

Arising Out of PS. Case No.-308 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Lalan Kumar S/o Late Bhatu Tanti @ Late Bhata Tanti R/o village-  
Katarmala, P.S.- Dandari, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      11-01-2022      Heard the parties through the video conferencing.

Heard learned counsel appearing on behalf of the  
petitioner and the learned APP for the State.

Petitioner who is in custody since 5.6.2021 seeks  
regular bail in connection with Begusarai Town P.S. Case No.  
308 of 2019 registered for the offence punishable under section  
420, 120(b) of the Indian Penal Code and 30(a) of Bihar  
Prohibition and Excise Act, 2016.

Prosecution case in brief is that one SI Amrendra  
Kumar on 7.6.2019 got secret information that some miscreants  
with illicit wine including some purchasers gathered at Hundai  
Service Centre, Harera. He along with police party reached the  
aforesaid place and caught some persons while they were  
loading illegal wine in the vehicles and on search a total



745.900 liters of illegal foreign liquor was recovered and also seized a motorcycle bearing registration no. BR09Z-2585 from the aforesaid service center.

Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that one co-accused has been released on bail by this Court and simply because the petitioner was apprehended along with the motorcycle bearing registration no. BR09Z-2585, has been named in the present case.

Learned counsel for the State has opposed the prayer for grant of bail to the petitioner.

Considering the above mentioned facts and circumstances of the case and also considering the fact that other similarly situated co-accused has already been released on bail, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 100,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II cum Special Judge, Excise Act, Begusari, in connection with Begusarai Town P.S. Case No. 308 of 2019 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court



concerned.

(2) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

Ravi/-

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