

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42455 of 2022

Arising Out of PS. Case No.-35 Year-2021 Thana- MALI District- Aurangabad

Lakshman Prasad Son of Akhilesh Saw Resident of village- Khatin, P.S-
Chhattarpur, Dist- Palamu Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Miss .Roona, Adv

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-09-2022 Let the defects, if any, be removed within four
weeks from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State through
video conferencing.

Petitioner seeks bail in a case registered in
connection with Mali P.S. Case No. 35 of 2021 for the
offences punishable under Sections 30(a), of the Bihar
Excise (Prohibition) Amendment Act.

The police on a secret information, intercepted a
Maruti Car and Pick-up-van and on search total 1852 liters
of country made liquor was recovered.

Learned counsel for the petitioner submits that



the petitioner was neither apprehended at the spot nor any incriminating article has been recovered from his person or possession. However, the petitioner only being owner of the Maruti Swift car, his name has been implicated in this case. She next submits that car, in question, runs by the driver and he was not even aware as to what was being carried by the driver. She next submits that the petitioner having fair antecedent is in custody since 28.06.2022. She last submits that the investigation of the crime is already complete and the charge sheet has been submitted.

On the other hand, learned counsel for the State opposed the bail application.

Regard being had to the submission made on behalf of the parties and considering the fact that petitioner only being owner of the car in question his name has been implicated in this case, though petitioner having fair antecedent is in custody since 28.06.2022, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge, Excise-II Aurangabad



in connection with Mali P.S.Case No. 35 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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