

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50021 of 2022

Arising Out of PS. Case No.-104 Year-2020 Thana- MINAPUR District- Muzaffarpur

Lalan Kumar S/O Narayan Rai, Resident Of Village- Talimpur, P.S.- Minapur,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-11-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Minapur P.S. Case No. 104 of 2020 lodged under Sections 272,
273 and 414 of the Indian Penal Code and Sections 30(a) and
41(i) of the Bihar Prohibition and Excise (Amendment) Act,
2018.

As per prosecution case, total recovery of 194.76
liters of foreign liquor have been made from the different
vehicles situated near the house of one Mahesh Rai.

Learned counsel for the petitioner submits that the
name of the petitioner has figured in this case due to the reason

that villagers have given in total 8 named persons in this case and petitioner is one of them but no recovery from the possession of the petitioner. He further submits that petitioner is in custody since 28.04.2022 and charge sheet has already been submitted in this case. Counsel fuhrer submits that there is one case of excise matter and NDPS is pending against the petitioner in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Minapur P.S. Case No. 104 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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