

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49615 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- JAGDISHPUR District- Bhojpur

Lal Saheb Ray @ Lal Saheb S/o Lal Babu Ray Resident of Village- Maner
Tata Colony, P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-11-2022 Let the defect(s), 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
Jagdishpur P.S. Case No. 288 of 2022 lodged under Sections
30(a), 32(i) (ii), 36, 38, 41 of Bihar Prohibition and Excise Act,
2018.

As per the prosecution case, the total recovery of 2607
litre of foreign wine is the subject matter of the present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that the said recovery has been made from a truck and not kept
in a normal condition rather it was kept below the steel sheet.

Learned counsel submits that petitioner is the *Khalasi* of the truck and is completely unaware as when the police reached, the driver and truck owner fled away but *Khalasi* is very innocently standing there due to this reason, the police has apprehended him. Learned counsel further submits that petitioner's antecedent is clean and he is in custody since 16.06.2022.

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.10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.1st, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 288 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

prakashmani/-

U		T	
---	--	---	--