

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53444 of 2022

Arising Out of PS. Case No.-188 Year-2021 Thana- LAKHISARAI District- Lakhisarai

Pappu Rao S/o Gangadhar Rao, R/o village- Ward No. 5, Namupara, P.S.-
Jamtara, District- Jamtara (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Raj Kishor Singh, 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
Lakhisarai (Kawaiya) P.S. Case No. 188 of 2021, lodged under
Sections 30(a) & 32(ii) of the Bihar Prohibition and Excise Act,
2016.

As per prosecution case, the total recovery of 2214 liter
of wine is the subject matter relating to the present case which is
alleged to be recovered from a Hywa vehicle, of which the
petitioner is alleged to be the owner.

Learned counsel for the petitioner submits that the said
recovery of wine was taken place from a vehicle, of which
petitioner is the owner but simultaneously he submits that
petitioner has handed over the said vehicle to one Sahid Fazal by
virtue of an agreement executed on 22.03.2021. He further

submits that just after the delivery of vehicle to Sahid Fazal the said vehicle has been caught by the Police on 24.03.2021. He further submits that as soon as petitioner received knowledge about the wrongful act from his vehicle, he has filed criminal case also against said Sahid Fazal and others. Learned counsel also submits that petitioner is in custody since 23.07.2022 and he is nowhere involved in this case.

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 Additional District and Sessions Judge-IV-cum-Special Judge, Excise, Lakhisarai in connection with Lakhisarai (Kawaiya) P.S. Case No. 188 of 2021, 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.)

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