

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64229 of 2021**

Arising Out of PS. Case No.-329 Year-2021 Thana- MINAPUR District- Muzaffarpur

LALU RAM Son of Sukdev Ram Resident of Village- Bakhari, P.S.-
Meenapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 07-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Meenapur (Panapur O.P.) P.S. Case No.329 of 2021, registered for the offence under Sections 272 and 273 of IPC and Sections 30 (a) and 41 of the Bihar Prohibition and Excise Act, 2018.

The prosecution case, in short, is that on the information of SHO received during the course of patrolling on 11.09.2020 at about 1.50 hours the informant raided the house of the petitioner and he was apprehended by the police and on search 20 liters solution of Mitha and Mahua was recovered



from his latrine and 02 liters of Mahua wine was recovered from bush near the said latrine.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the bush near the Latrine. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 13.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Muzaffarpur in connection with Meenapur (Panapur O.P.) P.S. Case No.329 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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