

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55738 of 2022

Arising Out of PS. Case No.-230 Year-2022 Thana- AMNAUR District- Saran

Lal Mohan Ram Son of Ganesh Ram R/o- Amnour Harnarayan, P.S- Amnour,
Dist- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shatrughan Pandey, Advocate
For the Opposite Party/s : Mr. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, as pointed out by the office
be removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Amnour P.S. Case No. 230 of 2022 registered
for the alleged offences under Sections 30, 30(a) and 37 of
Bihar Prohibition and Excise (Amendment) Act, 2018.

As per prosecution case, from the room of the
petitioner 160 liters of country made liquor was recovered and
the petitioner was apprehended and he was found in inebriated
condition.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. No recovery of any country made liquor has been made from the house of the petitioner but the recovery has been made from his joint property. The police involved the petitioner in this case on the basis of criminal antecedent of the petitioner, otherwise nothing incriminating has been recovered from the conscious possession of this petitioner. The petitioner is in custody since 06.08.2022 and charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner is having criminal antecedent of similar nature.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the submission of charge-sheet and the period of custody of the petitioner, he is directed to 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 District & Sessions Judge-II-cum-Exclusive Special Judge, Excise Act, Saran (Chapra) in connection with Amnour P.S. Case No. 230 of 2022, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of



the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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