

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67217 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Kishanganj

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Lalan Kumar, aged about 35 years, Son of Ramji Sah Resident of Village-
Malhanma, P.S.- Triveniganj, District- Supaul.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Arun, Adv
For the State	:	Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 01-06-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is expected to honour
his undertaking given in the instant case for depositing the
requisite court fee and to remove the defects as pointed out by
office when called upon to do so by the office.

The petitioner seeks bail in *Special Case No. 335 of 2021*,
arising out of PR Case No. 06/2021-22, instituted for the offence
punishable under Sections 30(a) and 56(b) of the Bihar
Prohibition and Excise Act.

216 liters illicit liquor has been recovered from the trailer
of the pick-up vehicle which the petitioner was driving as per
allegation in the First Information Report.



It is submitted by the petitioner's counsel that he was a professional driver, oblivious of the fact that illicit liquor had been concealed beneath the puffed rice loaded on the vehicle. It is further submitted that he has no criminal antecedents and he is in custody since 21-08-2021. The investigation is also stated to be complete.

The learned APP for the State has opposed the prayer for bail.

Considering the above noted submissions, including the manner of recovery, period of custody and the fact of completion of investigation, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 the learned *Additional District and Sessions Judge-II-cum- Spl Judge Excise Act, Kishanganj*, in connection with *Special Case No. 335 of 2021, arising out of PR Case No. 06/2021-22*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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