

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 57174 of 2022

Arising Out of PS. Case No.-767 Year-2021 Thana- ALAMGANJ District- Patna

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Lakhan Ram Son of Krishna Ram Resident of village - Meena Bazar,
Domkhana, P.S.- Alamganj, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Adv.

For the Opposite Party/s : Mr. Md. Anbzarul Haque Sahara, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-12-2022 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
Alamganj P.S. Case No. 767 of 2021 lodged under Section 30(a)
of the Bihar Prohibition and Excise Act, 2020.

As per the prosecution case, total recovery of 50 liter
of *desi* wine has been made, which is subject matter of the
present case.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that petitioner is in custody since 05.07.2022 having 5
criminal cases pending against him, and all the 5 cases

mentioned above, belongs to the same P.S. Charge-sheet has already been filed in this case. Learned counsel for the petitioner submits that from the seizure list, it transpires that the said recovery was made from the back side of the petitioner's house and not from the petitioner's possession.

Learned counsel for the State opposes the prayer for bail and submits that there are total 6 criminal cases which belongs to the present petitioner.

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 Exclusive Special Judge - Excise, Patna City at Patna in connection with Alamganj P.S. Case No. 767 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall

file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands **allowed.**

Speedy trial is the constitutional vision of justice. Admittedly, there are in total 6 criminal cases (including the present one) pending against the petitioner which belongs to the District and Sessions Judge, Patna City, Patna which are as follows:

- i. Alamganj P.S. Case No. 763 of 2021
- ii. Alamganj P.S. Case No. 857 of 2021
- iii. Alamganj P.S. Case No. 386 of 2021
- iv. Alamganj P.S. Case No. 901 of 2021
- v. Alamganj P.S. Case No. 72 of 2021
- vi. Alamganj P.S. Case No. 767 of 2021 (present case).

Let the District and Sessions Judge, Patna City, Patna

is directed to do the needful so that all the cases shall run before
one Special Court with one date.

Let the copy of this order is communicated to the
District and Sessions Judge, Patna for perusal and necessary
compliance.

(Dr. Anshuman, J.)

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