

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71091 of 2021

Arising Out of PS. Case No.-210 Year-2021 Thana- SIKARPUR District- West Champaran

Lalbabu Ram Son Of Mohan Ram R/O Village- Purainiya , P.S- Shikarpur,
Dist- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-06-2022 Learned counsel for the petitioner undertakes to remove all the defects as pointed out by office within four weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in connection with Shikarpur P.S. Case No. 210 of 2021 registered for the offences punishable under Sections 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act. He is in custody since 11.04.2021 and has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant while on patrolling duty received an information that illegal liquor was being unloaded from a pick-up van near the house of Lalbabu Ram (this



petitioner) at village Purainiya. On this information, the informant along with other police officials reached there and on seeing the police party one person got down from the pick-up van and started fleeing away and another person started fleeing away after leaving his Apache motorcycle but both got apprehended and disclosed their name as Lalbabu Ram (this petitioner) and Nand Kishore Prasad. On search, from pick up van total 343.92 liters of illicit liquor and from Apache motorcycle total 11.25 liters of illicit liquor was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that nothing has been recovered from conscious possession of the petitioner. The petitioner has remained in custody since 11.04.2021 having no criminal antecedent.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that the petitioner has remained in custody since 11.04.2021, investigation against him is complete and his presence may also be secured in course of trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees



Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 210 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 steps 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.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

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Note: the ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during pandemic period all concerned shall act on the basis of the copy of the order uploaded on the high court website under the heading 'judicial orders passed during the pandemic period'.

