

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71174 of 2021

Arising Out of PS. Case No.-209 Year-2021 Thana- SURYAGARHA District- Lakhisarai

Golu Kumar Laheri Son of Gopal Laheri @ Gopal Lahri Resident of Village -
Sariya, P.S.- Sariya, District - Giridih (Jharkhand).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022 Heard Mr. Sanjeev Kumar, learned counsel for the
petitioner and Mrs. Asha Kumari, the learned APP for the State.

The petitioner is in judicial custody in connection
with Suryagarha P.S. Case No. 209 of 2021 registered under
section 30(a) of Bihar Prohibition and Excise Act, 2018.

The allegation in the FIR is that the police upon
information, intercepted a white Bolero vehicle along with two
motorcycles and a carton was kept on the motorcycles. The
accused persons were apprehended and upon search, from the
Mahindra Bolero 105 litres of India Made Foreign Liquor was
recovered. Similarly, 17.280 and 8.640 of India Made Foreign
Liquor was also recovered from the said two motorcycles.

Learned counsel for the petitioner submits that he has
no criminal antecedent and had no knowledge of the presence of



liquor inside the vehicle and for the said alleged incident, he has suffered a lot by being in jail since 21.9.2021 (as stated in para-11 of the bail application).

Considering the fact that the petitioner has no criminal antecedent and is in jail since 21.9.2021 as also the fact that charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail but in case it is found that he has criminal antecedent, the bail order shall stands rejected.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Additional District and Sessions Judge, Excise, Lakhisarai, in Suryagarha P.S. Case No. 209 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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