

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2006 of 2023

Arising Out of PS. Case No.-377 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Muzaffarpur

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Lalan Rai, Son of Late Ramchandra Rai, R/v- Kahliapur, P.S.- Ahiyapur,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.
2. Petitioner seeks regular bail in connection with P.R.
No. 39 of 2017, Special Case (Excise) No. 377 of 2017 dated
27.09.2017 registered for the offences punishable under
Sections 30(a), 32, 38 of Bihar Prohibition and Excise Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner was firstly
arrested in connection with Ahiyapur P.S. Case No. 697 of 2022,
from which he was remanded in two other cases including the
present matter and he has been granted bail in the said Ahiyapur
P.S. Case No. 697 of 2022 and the recovery of the alleged wine
was made from an abandoned house as well as from a pick up



van with which the petitioner has no connection and similarly situated co-accused person namely, Hari Rai has been granted bail by a co-ordinate bench of this court vide order passed in Cr. Misc. No. 12566 of 2018 and the case of this petitioner is completely identical to the said co-accused and he has been languishing in jail since 16.11.2022.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly petitioner's custody period and also the fact that one similarly situated co-accused mentioned above is on bail, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with P.R. No. 39 of 2017, Special Case (Excise) No. 377 of 2017 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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