

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29053 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- LAURIA District- West Champaran

Akhilesh Prasad @ Akhileshwar Prasad Son Of Late Gopal Prasad Lauriya Bazar Ps
Lauriya District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 18-05-2023 1. Heard learned counsel for the petitioner and the learned
APP for the State.
2. Petitioner seeks regular bail in connection with Lauriya P.S.
Case No. 62 of 2023 dated 16.03.2023 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act.
3. The main submissions advanced by learned counsel for
petitioner are that the instant matter relates to the recovery of
17.28 litres of illicit foreign liquor and the same is stated to have
been recovered from the dickey of a motorcycle and as per
allegation, this petitioner and co-accused Amresh Kumar were
allegedly arrested with the said motorcycle and liquor but the said
allegation is completely false and this petitioner was never arrested
at the alleged place of recovery with the alleged motorcycle and
liquor and the said motorcycle is not stolen, rather the same
belongs to another person namely, Pintu Prasad and petitioner has

been languishing in jail since 17.03.2023. Further submission is that against the petitioner there are criminal antecedents of four cases in which he is on bail and in the present matter investigation has been completed against him.

4. Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

5. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record and also the completion of investigation against the petitioner, I deem it fit and proper to admit the petitioner to the privilege of bail.

6. Accordingly, let the petitioner named-above be enlarged on bail, **after framing of charge, if the same has not been framed**, in connection with **Lauriya P.S. Case No. 62 of 2023** 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.

7. The trial Court is directed to take step to frame the charges upon the petitioner as early as possible as per procedure of law.

(Shailendra Singh, J)

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