

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41486 of 2023**

Arising Out of PS. Case No.-5 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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LALAN KUMAR, Son of Sakal Rai @ Ram Sakal Rai, Resident of village - Dharampur @
Dhamrapur, P.S. - Nanpur, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate
For the Opposite Party/s : Mr. Surendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 31-07-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with G.O. Case No. 05/2020
dated 05.01.2020 registered for the offences punishable u/s
30(a) of the Bihar Prohibition and Excise Act.

4. As per the prosecution case, 4709.520 litres of
foreign liquor was being unloaded from a truck to three small
vehicles by more than twenty persons and the co-accused
Saytam Kumar was arrested who was the driver of the Pick-up-
van. The petitioner and the co-accused persons fled away.

5. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 20.01.2021 passed in Cr. Misc. No. 29285 of 2020. The petitioner is also accused in one criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 28.04.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with G.O. Case No. 05/ 2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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