

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60930 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- KALYANPUR District- Samastipur

Lakshman Kumar @ Laxman Kumar, Son of Yugal Mahto, Resident of
Village - Hajpurwa, P.S.- Warisnagar, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-01-2023 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with
Kalyanpur P.S. Case No.218 of 2022 registered for the offence
punishable under Sections 30(a), (41) (i) (47) of the Bihar
Prohibition and Excise (Amendment) Act.

Three persons are stated to be standing near the *Tata*
vehicle from which 451.89 litres Indian Made Foreign liquor
has been recovered.

Learned counsel for the petitioner submits that the
petitioner has no concern with the alleged recovery and has
become a victim of the circumstance merely because he was



passing-by. Having no criminal antecedents, he has remained in custody since 10.07.2022. Similarly situated co-accused Pappu Chaudhary has been granted bail in Cr.Misc. No.51242 of 2022.

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

Considering the rival submissions, the period of custody, his clean antecedents as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court-01, Samastipur, in connection with Kalyanpur P.S. Case No.218 of 2022, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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