

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64435 of 2022

Arising Out of PS. Case No.-901 Year-2021 Thana- ALAMGANJ District- Patna

LAKHAN RAM S/o Krishna Ram Resident of village- Meena Bazar,
Domkhana, Police Station- Alamganj, District- Patna Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 10-02-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Alamganj PS case no. 901 of 2021 instituted for the offences
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2020.

The allegation is regarding recovery of 16 liters of
illicit liquor from a swamp situated in a land not belonging to the
petitioner, nonetheless the petitioner is alleged to have fled away
from the spot.

The learned counsel for the petitioner submits that
the petitioner is innocent, has been falsely implicated in the
present case and is languishing in custody since 04.07.2022. The
learned counsel for the petitioner has further submitted that only
since the petitioner is accused in five other similar types of cases,
he has been falsely implicated in the present case, although the



fact is that neither the petitioner has been arrested from the spot nor the land in question belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot nor the land in question belongs to the petitioner nor any illicit liquor has been recovered from the conscious possession of the petitioner, I deem it fit and appropriate to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Exclusive Special Judge, Excise, Patna City, Patna in connection with Alamganj PS case no. 901 of 2021.

(Mohit Kumar Shah, J)

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