

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66406 of 2023

Arising Out of PS. Case No.-609 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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LALTUN KUMAR SAH S/O MUSAI SAH R/O VILLAGE- SEEMA, P.O.-
NARPATNAGAR, PS. SAKRI, DIST. MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate.
For the Opposite Party/s : Mrs.Meena Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-10-2023 Heard Mr. Shashank Shekhar, learned counsel

appearing on behalf of the petitioner and Mrs. Meena Singh,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Sadar P.S. Case No. 609 of 2022 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. Allegation is of recovery of 9 litres of foreign
liquor from the scooty of the petitioner bearing registration no.
BR-32Z-4099 and 207.900 litres from his house.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and he has
falsely been implicated in the case at the instance of his enemy.



Nothing has been recovered from conscious physical possession of the petitioner. He has no concern with the seized liquor nor manufacturing or smuggling of the illicit liquor. The place of recovery is a common place which is easily accessible to anyone. He has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-I, Excise Act, Darbhanga in connection with Sadar P.S. Case No. 609 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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