

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 65799 of 2022**

Arising Out of PS. Case No.-410 Year-2019 Thana- SURSAND District- Sitamarhi

LALIT THAKUR Son of Late Ramashray Thakur R/V- Sundarpur,
Bantolawa, P.S- Sursand Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Hans Lal Kumar, Advocate

For the Opposite Party/s : Ms Sucheta Yadav, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 03-02-2023

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar through Virtual Mode.

The petitioner seeks bail in Sursand Police Station (for brevity, **PS**) Case No 410 of 2019 registered for the offence punishable under Section 30 (a) of Bihar Prohibition and Excise Act, 2016.

There is recovery of 432 liters of illicit liquor concealed in a hand bag belonging to co-accused Hulas Rai.

Learned counsel for the petitioner submits that petitioner's implication is based on statement of village **Chaukidar** which is founded on suspicion due to petitioner's two antecedents. Even as per prosecution case, there is no recovery from him nor he was present at the place of recovery. He is in custody in this case since 14.05.2022.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, manner of recovery, nature of allegation, period of custody and the fact that investigation is complete, this Court, for the purposes of grant of bail,



is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Exclusive Special Excise Court No II, Sitamarhi in Sursand PS Case No 410 of 2019, 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)

M.E.H./-

U		T	
---	--	---	--

