

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72428 of 2022

Arising Out of PS. Case No.-340 Year-2022 Thana- MANIYARI District- Muzaffarpur

LAL BABU RAI Son of Late Ramdyal Rai R/v- Madhopur Susta, P.S.-
Naniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Maniyari P.S. Case No.340 of 2022 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

As per the prosecution, the police personnel while
checking apprehended this petitioner along with co-accused and
upon search recovered a total of 280 litres of *toddy* from the
alleged vehicle.

The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has fair and
clean antecedent and has been languishing in jail since
18.10.2022, he is a driver by profession and on the alleged day



of recovery of the alleged wine he was driver of the alleged vehicle and his said position has been mentioned in the FIR and against him the investigation has been completed.

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

In view of the facts, as stated above, and mainly considering the petitioner’s custody period, in the opinion of this Court a lenient approach can be taken in respect of the petitioner’s prayer, let the petitioner 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 concerned Court in connection with Maniyari P.S. Case No.340 of 2022.

(Shailendra Singh, J)

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