

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4803 of 2024

Arising Out of PS. Case No.-299 Year-2023 Thana- MANSI District- Khagaria

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Lakhwinder Singh Son of Parminder Singh @ Gurmel Singh Resident Of
Village- House No. 197, Kukur Majara, Ps- Mandi Govindgarh, Distt-
Fatehgarh, Sahib , Punjab

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

- 3 05-03-2024 1. Heard learned counsel for the petitione, learned APP
for the State and perused the case diary.
2. The petitioner seeks bail in connection with Mansi
P.S. Case No. 299 of 2023 instituted for the offences punishable
under Sections 30(a), 32(i)(ii), 41 of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 2971.435
litres of liquor was recovered from a truck.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is neither the owner nor the driver of the vehicle.



Learned counsel further submitted that petitioner is only the associate of the driver and has got no concern with the alleged recovery of liquor. Learned counsel further submitted that the owner of the truck from which the recovery has been made is one Varinder Kumar. Charge-sheet has been submitted in this case. The petitioner is in custody since 29.09.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mansi P.S. Case No. 299 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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