

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14598 of 2024

Arising Out of PS. Case No.-895 Year-2023 Thana- SARAIYA District- Muzaffarpur

Lakhindra Ram @ Lakhendra Ram S/o- Kewal Ram Village- Nawada PS-
Saraiya District Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar S.K., Adv.

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Saraiya P.S. Case No. 895 of 2023 instituted for the

offences under Sections 272, 273/34 of the Indian Penal

Code and Sections 30(a), 32(2), 32(3), 36, 41(1), 41(2) of

the Bihar Prohibition and Excise Act, 2022 (Amended).

3. As per prosecution case, the police has recovered

total 1110.960 liters of illicit foreign liquor from the pick-up

vehicle bearing Reg. No. BR06GF-2301 along with one

mobile from the possession of the petitioner.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case only on the basis of suspicion. The petitioner was not arrested at the spot rather was apprehended from road side. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor or the alleged vehicle. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 28.12.2023. Charge-sheet has been submitted in this case.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Saraiya
P.S. Case No. 895 of 2023.

(Rudra Prakash Mishra, J)

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