

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14145 of 2024

Arising Out of PS. Case No.-150 Year-2022 Thana- DIDARGANJ District- Patna

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Lalan Rai S/o Anandi Rai R/o Mohalla - Simli Bundel Toli, P.S. - Malsalami,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. Asha Kumari, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Didarganj P.S. Case No.
150 of 2022, instituted for the offences punishable under
Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 75 liters
liquor was recovered from tempo.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. It is further submitted that
the petitioner was not apprehended on spot and name of the



petitioner has transpired as being owner of the vehicle in question and he has no knowledge regarding the goods kept in the vehicle. The petitioner is in custody since 26.01.2024 and has got no criminal antecedent. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Didarganj P.S. Case No. 150 of 2022.

(Rudra Prakash Mishra, J)

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