

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15292 of 2024

Arising Out of PS. Case No.-901 Year-2023 Thana- BARACHATTI District- Gaya

Lallu Kumar @ Lalu Kumar Son of Govind Yadav Resident of Village-
Matgadha, Police Sttion- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 8.250 liters of liquor from a motorcycle along with
13 liters of bear.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he came to be implicated based on the fact that
he is owner of the motorcycle. It is next submitted that no
prudent person would use his own vehicle for committing an
occurrence and thus would create evidence against himself and



hence would get implicated. It is also submitted that petitioner was completely unaware that his friend would misused the vehicle in the manner as alleged.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5000 /- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise, Court No.V, Gaya in connection with Barachatti (Mohanpur) P.S. Case No.901 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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