

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19996 of 2024

Arising Out of PS. Case No.-353 Year-2023 Thana- BHELDI District- Saran

MADAN LAL, MALE, AGED ABOUT 22 YEARS, S/o Jota Ram @ Jeth
Ram R/o Ramdev Mandir, Charaar, P.S.-Ramsar, District-Barmer, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sumit Shekhar Pandey

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-03-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
Bhaldi P.S. Case No.353 of 2023 registered for the offence
under Sections 188, 272 and 273 of the Indian Penal Code and
Sections 30(a), 32, 36 and 47 of the Bihar Prohibition and
Excise Act.

3. As per FIR, there is recovery of total
6642.360 litre of illicit liquor from a truck bearing registration
no. UP80CT2082.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case, where, petitioner is driver of the



said truck. It is submitted that recovery of alleged illicit liquor was not made from conscious physical possession of the petitioner rather the same was recovered from a truck and he has not knowledge about the illegal consignment of the illicit liquor and he has no concern with the alleged recovery of illicit liquor as well as vehicle in question. It is submitted that seizure list appears doubtful being not supported by independent witnesses, rather by police personnels. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 22.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail in connection with Bheldi P.S. Case No.353 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Exclusive Special Excise Court, Saran at Chapra.

7. However, it is made clear that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the trial of this case and if the



petitioner would be absent on two consecutive dates, the Trial
Court shall cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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