

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16961 of 2024

Arising Out of PS. Case No.-196 Year-2021 Thana- SARAI RANJAN District- Samastipur

LAKSHAMAN SAH SON OF MADAN SAH R/O-BAJITPUR MEYARI,
P.S.-SARAI RANJAN, DISTT.-SAMSTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

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

ORAL ORDER

3 03-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Sarai
Ranjan P.S. Case No. 196 of 2021 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 1494.78
litres of liquor was recovered from a mango orchard.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case on the
basis of disclosure made by local chowkidar. No incriminating
article has been recovered from the conscious possession of the
petitioner rather the recovery has been made from the mango



orchard of one Arjun Singh. The petitioner has got no concern with the alleged recovery of liquor. Charge-sheet has been submitted in this case. Similarly situated co-accused person has already been granted bail by this Court vide order dated 19.02.2024 passed in Cr. Misc. No. 9315 of 2024. The petitioner is in custody since 27.01.2024 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, claim based on parity, 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 Sarai Ranjan P.S. Case No. 196 of 2021.

(Rudra Prakash Mishra, J)

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