

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17710 of 2024

Arising Out of PS. Case No.-271 Year-2023 Thana- LAKHNAUR District- Madhubani

Ram Singh Son Of Late Arun Singh Resident Of Village - Daiyakharwar, P.S.
- Lakhnaur, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Jha, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 911 of 2023, arising out of Lakhnaur P.S. Case No. 271 of
2023, instituted for the offences punishable under Sections 272,
273, 147, 148, 149, 189, 224, 225, 323, 324, 332, 333, 353, 427,
504, 506 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 108 liters
liquor was recovered from a land in three plastic bags. The
petitioner was apprehended on spot but was freed by some local
people.

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 petitioner is not the owner of the land. The petitioner has suo-moto surrendered on 10.01.2024 and has got three criminal antecedents in which the petitioner is on bail in two cases. 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 G.R. No. 911 of 2023, arising out of Lakhsaur P.S. Case No. 271 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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