

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25441 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- KAJRA District- Lakhisarai

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Lalan Kumar @ Lalan Mahto S/o Raj Kumar Mahto R/o vill - Madhopur, P.s.
- Kajra, Distt - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Advocate
For the Opposite Party/s : Mr.Satya Nand Shukla, APP

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

ORAL ORDER

- 2 04-04-2024
1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Kajra P.S. Case No. 11 of 2024 instituted for the offences punishable under Sections 30(a)/ 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 70 litres of liquor was recovered from *Toto* vehicle and the petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle. It is further submitted that petitioner is only the driver of the vehicle in question and has no concern with the loaded articles/liquor. The petitioner is in custody since 23.01.2024 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, 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 Kajra P.S. Case No. 11 of 2024.

(Rudra Prakash Mishra, J)

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