

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37450 of 2024

Arising Out of PS. Case No.-154 Year-2012 Thana- Excise P.S. District- Lakhisarai

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Kailash Kewat Son of Shyam Kewat Resident of Village- Gangta, P.S-
Lakhisarai((Amahra O.P), Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr.Umanath Mishra, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant
of regular bail in connection with Excise P.S. Case No. 154 C2/
2012 dated 21.06.2012 registered for the offences punishable u/ss
47(a)(f) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 105 litres of illicit
country made liquor, 1200 Kg. jawa mahua and apparatus for
manufacturing of liquor were recovered near the pond.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. The name of the petitioner has surfaced in this case merely
on suspicion. The petitioner has no concern with the alleged
recovery rather the recovery has been made from an open place



which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Excise P.S. Case No. 154 C2 of 2012 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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