

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40199 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- ANTI District- Gaya

=====

Lalu Kumar Son Of Surajdeo Yadav @ Surajdev Yadav Resident Of Village -
Konchi Tola, Shivpur Maniarbiga, P.S. - Guraru, District - Gaya
... .. Petitioner/s

Versus

The State Of Bihar
... .. Opposite Party/s

=====

Appearance :
For the Petitioner/s : Mr. Vinod Kumar, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Anti P.S.
Case No. 44 of 2024 dated 27.04.2024, instituted for the offence
punishable under Sections 414, 272, 273 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.

3. The allegation is of recovery of 50 litres country
made *mahua* liquor from a motorcycle which was allegedly stolen
motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that the petitioner has no concern
either with the said recovered liquor or seized motorcycle. Nothing



has been found from the possession of the petitioner. Petitioner was neither the driver of the said motorcycle nor the owner of the same. True fact is that at the time of checking, the petitioner was passing through the place of occurrence and due to query about the motorcycle, some altercation took place between the petitioner and police party, due to which the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 28.04.2024 having one criminal case against him. Charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge – cum- Excl. Spl. Excise Judge, Court No. 02, Gaya in connection with Anti P.S. Case No. 44 of 2024, subject to the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

