

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45299 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

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Lalan Kumar, Son of Satyanarayan Mehta Village- Gokul Pur, P.S.- K. Nagar,
Distt.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Bipin Kumar, Advocate
Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Case No. (Special) 54 of 2024 arising out of Kochadhaman
P.S. Case No. 24 of 2024 instituted under Section 30(a) of the
Bihar Prohibition & Excise Act.

3. As per the prosecution case, 39.120 litres of illicit
liquor of various types was seized from the car which belong to



the petitioner which was driven by the driver.

4. Learned counsel for the petitioner submits that the petitioner is innocent having no criminal antecedent and due to registered owner of the vehicle, he has been made accused in this case. He further submits that the petitioner has no concern with the alleged recovery of illicit liquor from the vehicle. The petitioner was not present at the time of occurrence and nothing has been recovered from the physical possession of the petitioner. The driver of the vehicle has surrendered before the Trial Court on 03.04.2024 and since then he is in judicial custody. The petitioner undertakes to co-operate in the investigation and the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned A.D.J.-II cum Special Judge (Excise), Kishanganj / Concerned Trial Court in connection with Case No. (Special)



54 of 2024 arising out of Kochadhaman P.S. Case No. 24 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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