

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54280 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- BALIYA District- Begusarai

Lalan Singh @ Lalan Prasad Singh Son of Late Chandradeo Singh R/V-
Village-Sadanandpur, P.S. - Balia, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Ms. Shaheen Begum, APP

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

ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Balia P.S. Case No. 79 of 2024 instituted for the offences
under Sections 30(a)/32/41(i)(ii) of the Bihar Prohibition &
Excise Amendment Act.

3. As per prosecution case, the police has recovered
1352.160 liters of illegal liquor from three vehicles as detailed
in the F.I.R. It is alleged that the apprehended person namely
Ranjit Prasad disclosed the name of the petitioner to be involved
in the business of illicit liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. The petitioner was not apprehended on the spot and, thus, nothing incriminating has been recovered from his conscious possession. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the apprehended co-accused Ranjit Prasad. The petitioner has no concern with the recovered liquor or the seized vehicles. The petitioner is neither the owner nor the driver of the aforesaid three vehicles, in question. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent.

5. Learned counsel for the petitioner again submits that the co-accused namely Manish Kumar @ Manish Singh has been granted anticipatory bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 37668 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be



released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Balia P.S. Case No. 79 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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