

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55577 of 2024

Arising Out of PS. Case No.-414 Year-2023 Thana- LALGANJ District- Vaishali

Nawal Rai @ Nawal Kumar Son of Rajgir Ray R/O Vill.- Salempur, Ward no.
14, P.s.- Lalganj, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nidhi Anand, Adv
For the Opposite Party/s : Mr. Gulnar Begum, APP

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

ORAL ORDER

2 22-08-2024 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 Lalganj P.S. Case No. 414 of 2023 dated 29.11.2023 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, *total 150 litres of illicit country made liquor was recovered from the plastic bags near Diyara*

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovery rather the recovery has been made from an open place which is accessible to anyone. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench of this court *vide* order dated 02.04.2024 passed in Cr. Misc. No. 21732 of 2024. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has eight antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 05.06.2024.

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 nature of allegation levelled against the petitioner and 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, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 414 of 2023, with a condition/s:-

(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 bail bond of the petitioner is liable to cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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