

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70313 of 2024

Arising Out of PS. Case No.-221 Year-2024 Thana- GUTHANI District- Siwan

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Lallan Ram @ Lalan Ram, aged about 50 years, (M), S/o- Late Rajeshwar Ram, Resident of Village- Cheraua, P.S. Guthani, Dist- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party : Mr. Md. Nazir Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Guthani P.S. Case No. 221 of 2024 dated 17.08.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, total 378 litres of illicit country made liquor was recovered from the Bolero vehicle and 540 litres of Babli country made liquor was recovered from the Scorpio vehicle i.e., total 918 litres of illicit country made liquor was recovered from two vehicles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner was found sitting on the Bolero vehicle in question. The petitioner is neither the owner nor the driver of the said vehicle. He had no knowledge that the illicit liquor was kept on the said vehicle. He has no concern with the alleged offence. No incriminating article has been recovered from his possession. The other co-accused Munna Thakur has already been granted bail by a Bench of this Court vide Cr. Misc. No. 73985 of 2024 under order dated 08.10.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.08.2024.

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 Exclusive Special Judge, Excise-1, Siwan in connection with Guthani P.S. Case No. 221 of 2024.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

