

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1755 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- Excise P.S. District- East Champaran

Dharmesh Kumar Lalan Ram @ Laln Ram Village- Sobia Nawada, PS-
Kotwa, East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for bail in a case
registered for the offence punishable under section 30(a)
of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 60 litres
of country made liquor from a motorcycle bearing Reg.
No. BR-22C-5958. Petitioner is alleged to be
apprehended on spot.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. Nothing has been recovered



from the conscious possession of the petitioner. He has no concern in any manner from the alleged recovered illicit liquor. Moreover, the petitioner is languishing in judicial custody since 03.12.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P. appearing for State vehemently opposed the prayer of bail and submitted that petitioner was apprehended on spot.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. II, Motihari, East Champaran in connection with Excise (Areraj) P.S. Case No. 162 of 2023.

The petitioner is directed to deposit a sum of



Rs. 5,000/-(Rupees Five Thousands) in the concerned District Legal Services Authority.

The bail bond of the petitioner shall be accepted by the learned Court below on showing receipt of deposit of Rs. 5,000/-(Rupees Five Thousands) in District Legal Services Authority of concerned District.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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