

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20356 of 2025

Arising Out of PS. Case No.-161 Year-2024 Thana- MALI District- Aurangabad

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Lalan Singh @ Lalan Kumar Singh Son of Late Lakshman Singh Resident of
Village - Labhari, P.S.- Kutumba, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Kant Mishra

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Mali P.S. Case No. 161 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, lodged on 13.08.2024 by the informant, Sumit Chandra.

3. As per the prosecution story, the police intercepted a motorcycle, though the rider managed to escape, there is recovery of 33.12 litres of foreign liquor, which led to the F.I.R.

4. Learned counsel for the petitioner submits that only because the motorcycle belongs to him, he has been named in the F.I.R. but later on, he has sold the scraped motorcycle to a street vendor but his name continue, he got implicated. The petitioner has got no criminal antecedent.



5. Learned APP opposes the prayer for bail of the petitioner.

6. Taking into account the aforesaid facts as also that the recovery/seizure is from the motorcycle of the petitioner, this petitioner has no criminal antecedent, the F.I.R. is there, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- by Demand Draft issued by the local branch of State Bank of India for the beautification of the Civil Court Campus, Aurangabad and the receipt has to be submitted before the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge, 2nd, Aurangabad in connection with Mali P.S. Case No. 161 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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