

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87263 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- DEEPNAGAR District- Nalanda

Lakshaman Kumar Son of Mohan Ravidas Resident of Village- Jamalichak,
PS- Deepnagar, District- Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-03-2025 Heard Mr. Deepak Kumar, learned counsel for the
petitioner and Mr. Anil Prasad Singh, APP.

2. The petitioner is in judicial custody in connection with Deepnagar P.S. Case No. 309 of 2024 for the offences punishable under Sections 30(a)/30(c) & 41(1) of the Bihar Prohibition and Excise Act, lodged on 12.09.2020 by the informant, Pankaj Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information about the presence of a Bolero Car and a Pick-Up van parked in the garage, it was raided and after search of the vehicles 419.25 litres of foreign liquor recovered/seized which led to the FIR/arrest.

4. Learned counsel for the petitioner submits that he has no criminal antecedent and is in custody since 13.09.2024



(para-4 of the petition). Nothing has been recovered from his conscious possession rather from the garage, he shall be appearing in trial diligently if granted relief and the last submission is that irrespective of the outcome of the present case and or accepting the allegation he intends to pay Rs. 10,000/- (Ten thousand) to the District Legal Services Authority, Patna, for installation of flower pots in the Civil Court Campus, Patna.

5. Learned APP opposes the prayer submitting that when the seizure made, the petitioner was present in the car.

6. Considering the submissions put forward by the parties as also the fact that he has no criminal antecedent, is in custody since 13.09.2024, FIR lodged, he shall be facing the trial, this Court is inclined to extend him the privilege of bail, subject to the payment of Rs. 10,000/- (Ten thousand) by way of Bank Draft issued by the local State Bank of India in favour of the District Legal Services Authority, Patna for the installation of flower pots in the Civil Court Campus, Patna and a receipt of the purchase has to be submitted to the Trial court.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned



Additional Sessions Judge-V-cum-Special Judge, Excise,
Biharsharif, Nalanda in connection with aforesaid P.S. Case
subject to the following conditions:

(i) one of the bailors should be the family member of
the petitioner who shall provide official document to show his
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 bail
bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned
police station every month for next six months 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 his bail bonds.

8. Let a copy of the order be sent to the learned
Principal District Judge, Patna for his perusal and needful.

(Rajiv Roy, J)

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