

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7233 of 2024

Arising Out of PS. Case No.-466 Year-2023 Thana- BAISI District- Purnia

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Amit Kumar Yadav S/O Mohan Yadav Resident of Ghosh Manjhok Ward No. 0-1, PS. Baisi, Dist. Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md Fazle Karim, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Baisi P.S. Case No. 466 of 2023 instituted for the offences under Sections 30(a), 41, 47 of the Bihar Prohibition and Excise Act and Sections 272 and 243 of the Indian Penal Code.

3. Prosecution story, in short, is that total 30.750 litres illicit liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. It has been submitted on behalf of the petitioner that



the petitioner is in custody since 30.11.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, petitioner having no criminal antecedent and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Baisi P.S. Case No. 466 of 2023.

(Rudra Prakash Mishra, J)

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