

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9695 of 2024**

Arising Out of PS. Case No.-868 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

Vidyasagar Singh S/O- Baban Singh R/O- Village- Sasna, P.S.- Kudra, Dist.-  
Kaimur At Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Mr. Ashutosh Tripathy, Advocate  
For the State : Mr. Dashrath Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      20-02-2024              Heard learned counsel for the petitioner and learned APP  
for the State.

2.      The petitioner seeks bail in connection with Mohania P.S. Case No. 868 of 2023 instituted for the offence under Section 414 of the IPC and Sections 30(a), 32 of the Bihar Prohibition and Excise Act, 2022.

3.      As per prosecution case, there is recovery of total 261 liters of illicit country made liquor from tractor.

4.      It has been submitted on behalf of the petitioner that the petitioner is in custody since 16-12-2023. Petitioner is stated to be man of clean antecedent.

5.      It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present



case. Petitioner has no concern with the alleged recovered liquor. Petitioner is the driver of the vehicle. Petitioner was oblivious of the fact that illicit liquor was laden on the vehicle. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and manner of implication, this Court is inclined to grant bail to the petitioner.

8. 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 Mohania P.S. Case No. 868 of 2023.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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