

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7804 of 2024

Arising Out of PS. Case No.-730 Year-2023 Thana- SHEKHPURA District- Sheikhpura

Barun Kumar Singh Son of Indradeo Singh Resident of Village-Sirari, Police
Station-Sheikhpura (Sirari O.P.), District-Sheikhpura and State Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv.

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sheikhpura (Sirari O.P.) P.S. Case No. 730 of 2023 instituted
for the offences under Section 30(a)/32 of the Bihar Excise and
Prohibition (Amendment) Act, 2018.

3. As per prosecution case, the police, on receipt of
secret information, reached at the place of occurrence. On
seeing the police party, one person tried to flee away from there
but, was apprehended by the police personnel. On query, he
disclosed his name as Barun Kumar Singh, the petitioner. On
search, the police seized altogether 25 litters country made
liquor from the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case due to ulterior motive. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner has one criminal antecedent as has been stated in paragraph no.3 of the present bail application in which he is on bail. There is non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 24.10.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also considering the quantity of liquor recovered, let the petitioner, abovenamed, 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 Sheikhpura (Sirari O.P.) P.S. Case No. 730 of 2023.

(Rudra Prakash Mishra, J)

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