

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9145 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Pawan Ram S/O Kuldeep Ram R/O Village- Biropur, P.S- Hajipur Sadar,
Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the State : Ms. Sharda Kumari, APP

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Hajipur Sadar P.S. Case No. 702 of 2023 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Act, 2019.

3. As per prosecution case, there is recovery of total
827.640 liters of illicit Indian made foreign liquor from house of
one Abhay Ram.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07-12-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.



5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been transpired by one Mahal Chaukidar. Petitioner has no concern with the alleged recovered liquor. Petitioner was not apprehended from the spot. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973. Other co-accused has been allowed bail by co-ordinate Bench of this Court *vide* order dated 07-02-2024, passed in Cr. Misc. No. 5252 of 2024.

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 and claim based on parity, 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 Hajipur Sadar P.S. Case No. 702 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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