

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7910 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- AKHODHIGOLA District- Rohtas

Satyam Kumar @ Satyam @ Saty Prakash S/o Sudama Prasad Gupta R/o Vill
- Baradhi Gola, P.S. - Akorhigola, Dist. - Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Adv.

Ms. Jyoti Prasad, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, 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 Akorhigola P.S. Case No. 133 of 2023 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. As per prosecution case, the police, on receipt of secret information, started the vehicle-checking at village Tetrah Bazar and raided at the place of occurrence. On seeing the police party, the miscreants, boarded on a four-wheeler, started to running away from there. After sometime, seeing no way out, they fled away after leaving the vehicle. On search, the police recovered altogether 278.16 liters of illicit foreign liquor of



different brands from the alleged vehicle Bolera Mahindra bearing Registration No. BR01PL6986.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not arrested at the place of occurrence and his name has transpired in this case in course of investigation. The petitioner has no concern with the seized liquor or the vehicle, in question. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application but, in both of them, he is on bail. There is a 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 22.09.2023.

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 as also taking into account the period of custody of the petitioner 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 Akorhigola P.S.
Case No. 133 of 2023.

(Rudra Prakash Mishra, J)

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