

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6404 of 2024

Arising Out of PS. Case No.-957 Year-2023 Thana- ARA NAGAR District- Bhojpur

Niraj Yadav S/O Ashok Yadav R/O Village- Bhaluhipur, P.S- Ara Nagar,
Distt.- Bhojpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Diwakar , Advocate

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem, 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 Ara Nagar P.S. case No.
957 of 2023 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 120 liters
country made liquor was recovered by the police near the
temple.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case due to
village politics. The petitioner was not apprehended at the spot.
The petitioner has got no concerned with the alleged recovery of
liquor. No incriminating article has been recovered from the



conscious possession of the petitioner. The petitioner is in custody since 12.12.2023 and has got one criminal antecedent. There is no compliance of Section 100 of 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 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 Ara Nagar P.S. case No. 957 of 2023.

(Rudra Prakash Mishra, J)

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