

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6409 of 2024

Arising Out of PS. Case No.-404 Year-2023 Thana- CHHAURADANO District- East
Champaran

=====

Lal Prasad Yadav S/O Ram Janam Ray R/O Village- Vishunpurwa, P.S-
Chhauradano, Distt.- East Champaran, Motihari.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Kalyan Shankar, 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 Chhauradano P.S. case
No. 404 of 2023 instituted for the offences under Section 414 of
the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 41 liters wine
is recovered from the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concerned with the alleged recovery of
liquor. The motorcycle from which the alleged recovery is
made does not belong to the petitioner. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 27.11.2023 and has got no 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, the period of custody undergone by the petitioner and the petitioner having no criminal antecedent, 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 Chhauradano P.S. case No. 404 of 2023.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

