

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8571 of 2024

Arising Out of PS. Case No.-775 Year-2023 Thana- BIHPUR District- Bhagalpur

Indradeo Kunwar @ Indradeo Kumar Son of Late Chunchun Kunwar @ Late
Chunchun Kumar Resident Of Village- Sonbarsa, Ps- Bihpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihpur
P.S. Case No. 775 of 2023 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that on the basis of
secret information police apprehended Indradeo Kunwar (this
petitioner) and recovered 100.5 litres of Indian made foreign
liquor from the *basa* of this petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Petitioner has no concern with the



alleged recovery of liquor. Learned counsel further submitted that the recovery has been made from *basa* which is the joint property of this petitioner and is commonly used by his family members. There is no compliance of Section 100 of the Cr.P.C. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.12.2023 and has no criminal antecedent.

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, no criminal antecedent 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 Bihpur P.S. Case No. 775 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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