

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8588 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- AMNAUR District- Saran

Uma Shankar Sah S/O- Late Raushan Sah R/O- Village- Nishak Vishunpur,
P.S.- Amnour, Dist.- Saran At Chapra, Presently Residing At Village-
Parshurampur, P.S.- Amnour, Dist.- Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan 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 Amnour
P.S. Case No. 301 of 2023 instituted for the offences under
Sections 30(a), 33, 34 of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 1024 litres of
illicit liquor was recovered, out of which 880 litres of illicit
liquor was recovered from the house and *dalan* of the co-
accused Pawan Yadav and 144 litres of foreign liquor was
recovered from the courtyard of Pankaj Singh.

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 rather the recovery has been from the house and courtyard of co-accused Pawan Yadav and Pankaj Singh. 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 03.12.2023 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 Amnour P.S. Case No. 301 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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