

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7502 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- HASANPUR District- Samastipur

Rajaram Kumar S/O Late Narayan Mahto Village- Pusaho, Ps. Bithan, Dist. Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarbottam Kumar Sarkar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hasanpur P.S. Case No. 178 of 2023 instituted for the offences under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 262.80 litres Indian made foreign liquor was recovered from *Swift Dzire* car and motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the alleged recovery. Learned counsel further submitted that petitioner has no concern with the vehicle from which the alleged recovery has



been made and petitioner is neither the owner nor the driver of the said vehicle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.10.2023 and has no criminal antecedent. There is no compliance of Section 100 of the 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 Hasanpur P.S. Case No. 178 of 2023.

(Rudra Prakash Mishra, J)

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