

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8533 of 2024

Arising Out of PS. Case No.-639 Year-2022 Thana- KANKARBAG District- Patna

Darogi Sharma S/o Bhagwat Mistri R/o Defence Colony, P.S. - Kankarbagh,
Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramjiban Prasad, 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 Special Case No. 4029 of 2022 arising out of Kankarbagh P.S. case No. 639 of 2022 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that on secret information, a raid was conducted by the police and 63.92 liters liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Charge-sheet has already been submitted in this case. The petitioner has got no concern with the alleged recovery of



liquor. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner was remanded in the present case on 24.07.2023 and since then he is in custody and has got one criminal antecedent in which he is on bail. 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 Special Case No. 4029 of 2022 arising out of Kankarbagh P.S. case No. 639 of 2022.

(Rudra Prakash Mishra, J)

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