

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8922 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- ANDHRAMATH District- Madhubani

Om Prakash Kumar S/O Parmeshwar Yadav @ Parmeshwari Yadav Village-
Saraigarh, Ps. Bhaptiyahi, Dist. Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Jha Raman, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, 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 Andhramath P.S. Case No. 189 of 2023 instituted for the offences under Sections 272, 273, 414, 34 of the Indian Penal Code and Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 128.1 litres of illicit liquor was recovered from the two motorcycles out of which total 36 litres of illicit liquor was recovered from the motorcycle 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 or with the motorcycle in question. Learned counsel further stated that 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 11.12.2023 and has one 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 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 Andhramath P.S. Case No. 189 of 2023.

(Rudra Prakash Mishra, J)

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