

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10960 of 2024

Arising Out of PS. Case No.-743 Year-2023 Thana- BRAHMPUR District- Buxar

Jitendra Yadav son of Ram Babu Yadav Village- Tipura Ps- Bihiya Dist-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Roy, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Brahampur P.S. Case No. 743 of 2023 instituted for the
offences under Section 414 of the Indian Penal Code and 30(a)
of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered
altogether 20 liters country made liquor from the Honda
motorcycle which was being driven by the present petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that nothing incriminating has
been recovered from the conscious possession of the petitioner



or his house. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is not the owner of the alleged motorcycle. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 18.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Brahampur P.S. Case No. 743 of 2023.

(Rudra Prakash Mishra, J)

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