

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10877 of 2024

Arising Out of PS. Case No.-115 Year-2023 Thana- YADOPUR District- Gopalganj

Ritik Kumar @ Ritik Kumar Singh Son of Rakesh Singh Resident of Village-
Jadopur Shukul, P.S.- Jadopur, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, 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

Jadopur P.S. Case No. 115 of 2023 instituted for the

offences under Sections 30(a), 41(i) of the Bihar Prohibition

and Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered

1230.400 liters of country made liquor from a boat.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case merely on suspicion. The petitioner is not

named in the F.I.R. and his name has surfaced in this case



during investigation. The petitioner has no concern with the alleged recovery of liquor or the seized boat. The petitioner is not the owner of the seized boat. The petitioner was not arrested on the spot and nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application but, in both of them, he is on bail. 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 06.01.2024.

5. Learned counsel for the petitioner again points out that the co-accused Mukesh Kumar Yadav @ Mukesh Yadav has been granted bail by a Co-ordinate Bench of this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 63377 of 2023.

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

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of



the petitioner, 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 Jadopur P.S. Case No. 115 of 2023.

(Rudra Prakash Mishra, J)

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