

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13373 of 2024

Arising Out of PS. Case No.-17 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Kamal Soni @ Kamaldeep Son of Late Kashmiri Lal Resident of Village-
Panipat Gali No. 03, Ward No. 29, Near Balaji Park P.S.- Athamarla Police
Chauki, Panipat, Dist- Panipat (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 28-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mohania P.S. Case No.
17 of 2024, instituted for the offences punishable under Sections
420, 467, 468, 34 of the Indian Penal Code, Sections 30(a) and
32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 13877.67
liters liquor was recovered from two trucks out of which 6789.6
liters liquor was recovered from the truck which was being
driven by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. No incriminating



material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that petitioner is the driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 09.01.2024 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 APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mohania P.S. Case No. 17 of 2024.

(Rudra Prakash Mishra, J)

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