

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12141 of 2024

Arising Out of PS. Case No.-477 Year-2023 Thana- BAISI District- Purnia

Mister Kumar Yadav S/O Sarabjeet Yadav R/O Village- Asja Mobaiya,
Tarabari, P.S- Baisi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rounak Kumar Singh Pankaj, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Baisi P.S. Case No 477
of 2023, instituted for the offences punishable under Sections
272, 273 of the Indian Penal Code, Sections 30(a), 41 and 47 of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 29.950 liters
liquor was recovered from motorcycle and driver of the
motorcycle fled away.

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. The petitioner was not apprehended on spot and the petitioner is not named in the F.I.R. The name of the petitioner transpired due to the recovery of his mobile phone from the seized motorcycle. The petitioner is in custody since 20.12.2023 and has got no criminal antecedent. 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 Baisi P.S. Case No 477 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

