

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14369 of 2024

Arising Out of PS. Case No.-195 Year-2023 Thana- ANDHRAMATH District- Madhubani

Rupesh Kumar @ Rupesh Kumar Yadav Son of Hari Yadav Resident of
Village- Bikramsher, P.S.- Andhramath, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Vinod Kumar, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Andhramath P.S. Case No. 195 of 2023 (G.R. No. 922 of 2023), instituted for the offences punishable under Sections 272, 273, 414 of the Indian Penal code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 106 liters liquor was recovered from two motorcycles out of which 99 liters liquor was recovered from the motorcycle of petitioner and he was apprehended on spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present 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 neither owner nor rider of the seized motorcycle. The petitioner is in custody since 24.12.2023 and has got one 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 Andhramath P.S. Case No. 195 of 2023 (G.R. No. 922 of 2023).

(Rudra Prakash Mishra, J)

Rajorshi/-

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