

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18206 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- MALI District- Aurangabad

Pradeep Kumar @ Pradeep Gupta @ Pradeep Prasad Son of Late Ramchandra Prasad Resident of Village- Itawa, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Mali P.S. Case No. 10 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 74.955 liters liquor was recovered from tempo and the petitioner 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 was passenger and has no concern with the seized vehicle. The petitioner is in custody since 18.01.2024 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 Mali P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

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