

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15353 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- Excise P.S. District- Bhojpur

Ramesh Yadav S/O- Late Lakshman Yadav R/O- Village/Mohalla-
Bhaluhipur, Ward No.- 32, P.S.- Ara Nagar, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Prohibition and Excise
Ara Sadar P.S. Case No. 13 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, 150 liters
liquor was recovered from courtyard of petitioner's house 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.
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 the place of recovery is an open place which is accessible to everyone. 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 Prohibition and Excise Ara Sadar P.S. Case No. 13 of 2024.

(Rudra Prakash Mishra, J)

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