

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16973 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- SIRDALA District- Nawada

Suraj Kumar Son of Niraj Singh R/O-Jharahi, P.S.-Rajauli, Distt.-Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh, Adv.

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

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sirdala
P.S. Case No. 20 of 2024 instituted for the offences under
Section 30(a), 41 of the Bihar Prohibition and Excise (BPE) Act,
2016.

3. As per prosecution case, the police has recovered
total 105 liter country made liquor from a sack tied over the
motorcycle bearing Regd. No. BR27S-5673.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The



petitioner has no concern with the seized liquor or the alleged vehicle. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 20.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sirdala P.S. Case No. 20 of 2024.

(Rudra Prakash Mishra, J)

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