

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20222 of 2024

Arising Out of PS. Case No.-148 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

Tiger Singh Son of Janardhan Singh Resident of Village- Kala Matihaniya,
Police Station- Vishambharpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Singh, Advocate

For the Opposite Party/s : Ms. Asha Kumari, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Vishambharpur P.S.
Case No. 148 of 2023, instituted for the offences punishable
under Sections 30(a) and 41 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 153 liters
liquor was recovered from two motorcycles out of which 18
liters liquor was recovered from the motorcycle of the petitioner.

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 the petitioner is neither owner nor rider of the seized motorcycle and name of the petitioner was disclosed by the local villagers. The petitioner is in custody since 15.12.2023 and has got one criminal antecedent. here 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 Vishambharpur P.S. Case No. 148 of 2023.

(Rudra Prakash Mishra, J)

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