

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17415 of 2024

Arising Out of PS. Case No.-371 Year-2023 Thana- KOCHAS District- Rohtas

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Barmendra Kumar son of Jainendra Kumar Village- Bakasara, P.O.-
Bisodihari, P.S.- Karagahar, District- Rohtas, Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar, Advocate

For the Opposite Party/s : Mr. Asha Devi, APP

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

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kochas (Parsathua OP)
P.S. Case No. 371 of 2023, instituted for the offences punishable
under Sections 414, 467, 468, 471 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 961.200
liters liquor was recovered from tractor 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 is drive of that vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 06.12.2023 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted anticipatory bail by Co-ordinate Benches of this Court vide order dated 16.02.2024 passed in Cr. Misc. No. 5832 of 2024 and order dated 17.02.2024 passed in Cr. Misc. No. 6162 of 2024. 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 Kochas (Parsathua OP) P.S. Case No. 371 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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