

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18082 of 2024

Arising Out of PS. Case No.-7 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Uma Shankar Kumar @ Umashankar son of Surendra Singh Resident of
village-saidichak, Ps- Sukrabad Dist- Jehanabad R/o- Krishna Niketan
Jakariyapur Ps- Ramkrishna Nagar Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rajendra Nath Jha, 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 connection with Special
Case No. 62 of 2023, arising out of Ram Krishna Nagar P.S.
Case No. 07 of 2024, instituted for the offences punishable
under Sections 30(a), 30(c), 30(f), 33, 34(b) and 41(1) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 3940 liters
spirit was recovered from godown 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 spirit. It is further submitted that petitioner is not the owner of the said godown. The petitioner is in custody since 05.01.2024 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 Special Case No. 62 of 2023, arising out of Ram Krishna Nagar P.S. Case No. 07 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

