

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22418 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- KHAJEKALA District- Patna

SUMIT KUMAR S/O VIJAY RAJAK R/O VILLAGE- GURHATTA,
UMASHANKAR MANDIR, P.S- KHAJEKALAN, DISTT.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kaushal Kumar, Advocate
For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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

ORAL ORDER

- 2 22-03-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Khajekalan P.S. Case No. 67 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act and Section 414 of the Indian Penal Code.
3. The prosecution case, in short, is that total 100 litres of liquor was recovered from a scooty.
4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No



incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 09.02.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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, clean antecedent 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khajekalan P.S. Case No. 67 of 2024.

(Rudra Prakash Mishra, J)

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