

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24379 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- MALI District- Aurangabad

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Anshu Kumar Son of Late Vinod Yadav R/o Village- Tankupi, P.S.- Haspura,
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mali
P.S. Case No. 10 of 2024 instituted for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case in short is that there is
recovery of 74.955 liters liquor from tempo and the petitioner
was apprehended on the spot.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 18-01-2024. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely implicated in the present



case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Petitioner is the driver of the vehicle and was oblivious of the fact that illicit liquor was laden in the vehicle. Other co-accused has been granted bail by this Court, *vide* order dated 12-03-2024, passed in Cr. Misc. No. 18206 of 2024. It is lastly submitted that charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, charge sheet being submitted and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Mali P.S. Case No. 10 of 2024.

(Rudra Prakash Mishra, J)

Raj kishore/-

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