

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24835 of 2024

Arising Out of PS. Case No.-1060 Year-2023 Thana- BIHTA District- Patna

Shiv Shankar Kumar @ Pathalu Kumar @ Pathalu Son Of Kishore Yadav
Resident Of Village- Daulatpur, Ps- Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Supriya Kumari, Advocate
For the Opposite Party/s : Ms.Meena Singh, APP

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

ORAL ORDER

- 3 26-04-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 1060 of 2023 instituted for the
offences punishable under Sections 30(a), 32(ii)(iii), 41(i)(ii) of
the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 350 litres
of liquor was recovered from tempo and motorcycle.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner has transpired in this case on the basis of



disclosure made by co-accused who was apprehended on the spot. 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 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, let the petitioner, above named, in the event of his arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory 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 Bihta P.S. Case No. 1060 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

