

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26785 of 2024

Arising Out of PS. Case No.-93 Year-2023 Thana- PURUSHOTTAMPUR District- West
Champaran

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Sohan Ram Son Of Late Chandrika Ram Resident of Village - Mahuawa,
Police Station -Purushottampur, District - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Purushottampur P.S.
Case No. 93 of 2023, instituted for the offences punishable
under Sections 272, 273 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 71.400 liters
liquor was recovered from motorcycle and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and 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 liquor. It is further submitted that the owner of the motorcycle is one Umesh Ram who is relative of the petitioner. The petitioner is in custody since 03.10.2023 and has got five criminal antecedents in which the petitioner is on bail. 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 Purushottampur P.S. Case No. 93 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.



(III) Further condition is that, petitioner shall not
commit such type of offence during the course of the trial.

(Rudra Prakash Mishra, J)

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