

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24580 of 2024

Arising Out of PS. Case No.-491 Year-2023 Thana- JAYNAGAR District- Madhubani

Suraj Kumar @ Saroj Kumar S/O Ram Lagan Dubey R/O Village- Khairi
Baka, P.S- Bisfi, Distt.- Madhubani (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jaynagar P.S. Case No.
491 of 2023, instituted for the offences punishable under
Sections 272, 273, 414, 34 of the Indian Penal Code and Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1097.640
liters liquor was recovered from five motorcycles and one
scooty near mango orchard 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. 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 petitioner is not the owner of the said mango orchard and it is an open place which is accessible to everyone. The petitioner is in custody since 13.12.2023 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 Jaynagar P.S. Case No. 491 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

