

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25693 of 2024

Arising Out of PS. Case No.-432 Year-2023 Thana- WARISNAGAR District- Samastipur

SHAMBHU SINGH @ SHAMBHU KUMAR @ SHAMBHU KUMAR
SINGH SON OF FULO SINGH RESIDENT OF VILLAGE - MANNIPUR,
P.S. - MATHURAPUR O.P., WARISNAGAR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Singh

For the Opposite Party/s : Mr.Pronoti Singh

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Warisnagar P.S. Case No. 432 of 2023 instituted for the offences punishable under Sections 30(a) 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1055.43 liters liquor was recovered from from a pickup van.

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 20.02.2024 and has one 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, 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 Warisnagar P.S. Case No. 432 of 2023.

(Rudra Prakash Mishra, J)

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