

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23045 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- Excise P.S. District- Aurangabad

Amrendra Kumar Son Of Vidhamuni Chaudhary Resident Of Village - Ward
No.05, Anchha, P.S. - Daudnagar, District - Aurangabad

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Daudnagar Excise P.S.
case No. 49 of 2024, G.R. No. 244 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 42.250
liters out of which 40 liters liquor was recovered from the hut
of the petitioner. The petitioner was arrested on the 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 hut in question belongs to the joint family of the petitioner. The petitioner is in custody since 20.02.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 Daudnagar Excise P.S. case No. 49 of 2024, G.R. No. 244 of 2024.

(Rudra Prakash Mishra, J)

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