

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27596 of 2024

Arising Out of PS. Case No.-932 Year-2023 Thana- PIRBAHOR District- Patna

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Akash Kumar @ Gollu S/o Sri Prem Chaudhary R/o Ram Hashanpur,
Chaintola (Musalepur), P.S. - Kadam Kuan, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Special
Case No. 2258 of 2023, arising out of Pirabhore P.S. Case No.
932 of 2023, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 116 liters
liquor was recovered from the shop of the petitioner.

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 was not arrested on spot and name of the petitioner has transpired on the basis of disclosure made by the local people. The petitioner is in custody since 31.12.2023 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 Special Case No. 2258 of 2023, arising out of Pirabhore P.S. Case No. 932 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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