

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24756 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- Excise P.S. District- Sheikhpura

Rajesh Kumar S/O Late Lakhan Yadav R/O Village- Indai, P.S- Sheikhpura,
Distt.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, 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 Sheikhpura Excise P.S.
Case No. 91 of 2024, instituted for the offences punishable
under Section 30(a), 32, 41 and 56(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 1.500 liters
liquor was recovered from jacket of the petitioner 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. The petitioner is in custody since 23.02.2024 and has got two criminal antecedents. 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 Sheikhpura Excise P.S. Case No. 91 of 2024.

(Rudra Prakash Mishra, J)

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