

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25578 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- KISHANPUR District- Supaul

Babalu Kumar S/O Bijendra Sah @ Vijendra Sah R/O Village- Lalpur, Ward
No. 1, P.S- Singheshwar, Distt.- Madhepura (Bihar).

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Akash Anand, Adv.
For the State : Mr. Braj Kishore Pd., APP

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 Kishanpur P.S. Case No. 280 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there has been recovery of 450 liters of illegal Nepali wine from a Scorpio Car.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner was apprehended on spot. Petitioner is not the owner of the seized vehicle and has no knowledge regarding the liquor loaded in it. No incriminating article 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 29.12.2023 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 Kishanpur P.S. Case No. 280 of 2023.

(Rudra Prakash Mishra, J)

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