

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25777 of 2024

Arising Out of PS. Case No.-194 Year-2024 Thana- Excise P.S. District- Gopalganj

Santosh Yadav son of Late Ram Narayan Chaudhary Village- Sareya
Mahadeo Nagar Ganga Nursing W.No-6, Ps- Gopalganj Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mili Kumari, Adv.
For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Excise
P.S. Case No. 194 of 2024 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
2.400 liters of illegal country-made liquor from the possession
of three apprehended persons including the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that petitioner has no concern
with the wine in question. Charge-sheet has been submitted in
this case. On the basis of suspicion and due to his criminal
antecedents, he has been falsely made accused in the present



case by police. The petitioner is in custody since 29.02.2024 and has been made accused in two more cases of similar nature, in which he is on bail. 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, meagre quantity of liquor 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 Excise P.S. Case No. 194 of 2024.

(Rudra Prakash Mishra, J)

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