

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26972 of 2024**

Arising Out of PS. Case No.-107 Year-2024 Thana- BRAHMPUR District- Buxar

Mantosh Ram @ Mantosh Kumar Son of Late Nandji Ram Resident of  
Village- Nuaanaw, P.S.- Krishna Braham, Dist.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ramakant Yadav, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

2      08-04-2024      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Brahmpur (Krishna Braham) P.S. Case No. 107 of 2024, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 0.360 liters liquor was recovered from the petitioner and 15 liters liquor was recovered near the house of the petitioner. 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. It is further submitted that the recovery has been made from the field which is near the house of the petitioner. The petitioner is in custody since 02.03.2024 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 Brahmpur (Krishna Braham) P.S. Case No. 107 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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