

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29940 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- BALIGAON District- Vaishali

Shiv Shankar Kumar @ Shiv Kumar son of Mahendra Rai Resident of
Village- Ladaho, P.S.- Baligaon, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Baligaon P.S. Case No.
06 of 2024, instituted for the offences punishable under Sections
272, 273, 414, 34 of the IPC and Sections 30(a), 32(ii), 41(i) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 846.36 liters
liquor was recovered from one pickup van.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. The
petitioner has got no concern with the alleged recovery of
liquor. No incriminating article has been recovered from the
possession of the petitioner. The petitioner is in custody since
02.02.2024 and has got three criminal antecedent. There is no



compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 23-02-2024, passed in Cr. Misc. No. 14633 of 2024.

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, claim based on parity 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 Baligaon P.S. Case No. 06 of 2024

(Rudra Prakash Mishra, J)

Raj kishore/-

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