

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28223 of 2024

Arising Out of PS. Case No.-139 Year-2021 Thana- SANGRAMPUR District- East
Champaran

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Surendra Ram S/O Late Sukhlal Ram R/O Village- Barwa, P.S- Sangrampur,
Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sangrampur P.S. Case
No. 139 of 2021, instituted for the offences punishable under
Sections 30(a), 32 and 41(1) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 55 liters
liquor was recovered from the house of the petitioner .

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 said house is a joint property where other family members also reside. The petitioner is in custody since 28.02.2024 and has got one criminal antecedent in which the petitioner is on bail. 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 Sangrampur P.S. Case No. 139 of 2021.

(Rudra Prakash Mishra, J)

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