

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30174 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- ALOULI District- Khagaria

Amarjit Sada son of Nandlal Sada Village- Manrupa Ps- Bahadurpur Alauli
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Alauli (Bahadurpur)
P.S. Case No. 44 of 2024, instituted for the offences punishable
under Sections 25(1-B)(a), 26 of the Arms Act, Sections 30(a)
and 37 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 62.5 mg/ 100
ml liquor was detected by breath analyzer and the petitioner was
apprehended on spot. On search, a country made pistol was
recovered from the petitioner and 02.25 liters liquor was also
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. The petitioner is in custody since 04.02.2024 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 Alauli (Bahadurpur) P.S. Case No. 44 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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