

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31729 of 2024**

Arising Out of PS. Case No.-178 Year-2024 Thana- Excise P.S. District- West Champaran

Tegari Yadav son of Late Surya Yadav R/v - Bariyarpur, Ward no. 6, P. S. Nautan, District -west chamaparan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Kumari Sujata Sinha, Advocate
For the Opposite Party/s : Ms.Renu Kumari, APP

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

ORAL ORDER

2 24-04-2024 Heard learned counsel for the petitioner and Ms.
Renu Kumari, learned APP for the State.

2. Learned counsel for the petitioner is permitted to
make necessary corrections in paragraph no. 4 of the present
bail application.

3. The petitioner seeks bail in connection with Excise
P.S. Case No. 178 of 2024 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 115.92
litres of liquor was recovered from *tempo*.

5. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle rather the petitioner is passenger. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 25.02.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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. 178 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

