

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29132 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- FATEHPUR District- Gaya

Subhash Kumar S/O Siya Sharan Singh @ Siya Sharan Prasad R/O Village-
Dhanchhu, P.S- Fatehpur, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Priya Ranjan, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 19-04-2024 Heard Ms. Priya Ranjan, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in Fatehpur P.S. Case No.
81 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, 350 liters
liquor was recovered from car and 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 petitioner is neither owner nor driver of the seized vehicle in question, rather he was a passerby of that way. The petitioner is in custody since 13.02.2024 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 Fatehpur P.S. Case No. 81 of 2024.

(Rudra Prakash Mishra, J)

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