

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29929 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- ARARIA District- Araria

Manjesh Kumar Yadav @ Manjesh Kumar Son of Indu Yadav Resident of
village - Ghoghanpatti, P.S.- Patarghat (Sour Bazar), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, 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 Araria (Bairgachhi) P.S.
case No. 85 of 2024 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 225 liters
liquor was recovered from Scorpio vehicle. The petitioner was
not arrested at the 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 said to be co-driver of the said vehicle. He has no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 07.02.2024 and has got one 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 22-03-2024, passed in Cr. Misc. No. 23051 of 2024.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Araria (Bairgachhi) P.S. case No. 85 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

