

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31540 of 2024**

Arising Out of PS. Case No.-40 Year-2024 Thana- KISHANPUR District- Supaul

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Awadhesh Kumar Yadav Son of Ramu Yadav Resident of Village- Maujaha
Ward no- 6, P.S- Kishanpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Patla Kumari, Advocate
For the Opposite Party/s : Ms.Shaheen Begum, APP

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

ORAL ORDER

- 2 24-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in connection with
Kishanpur P.S. Case No. 40 of 2024 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 181.5
litres of liquor was recovered from the car parked outside the
house of the petitioner.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case due to



suspicion. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner has got no concern with the vehicle from which the alleged recovery has been made. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.02.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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, clean antecedent 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 Kishanpur P.S. Case No. 40 of 2024.

(Rudra Prakash Mishra, J)

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