

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32426 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- BARHARA KOTHI District- Purnia

Vipin Kumar Yadav Son Of Umesh Prasad Yadav @ Umesh Yadav Resident
Of Village- Aliganj, War, P.S -BARHARA Kothi ,DISTRICT -PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barhara
Kothi P.S. Case No. 72 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 109.17 liters
liquor was recovered from a hush.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The place of recovery belongs to one Ganesh
Yadav and the petitioner has been implicated in this case only
on suspicion. Charge-sheet has been submitted in this 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 10.03.2024 and has got antecedent of one criminal case in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

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 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 Barhara Kothi P.S. Case No. 72 of 2024.

(Rudra Prakash Mishra, J)

Prakash/-

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