

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31851 of 2024

Arising Out of PS. Case No.-96 Year-2024 Thana- BAHADURPUR District- Darbhanga

Dipjyoti Kumar son of Vijay Kumar Singh Resident of Village- Jagdishpur,
Police Station- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bahadurpur P.S. Case No. 96 of 2024, instituted for the offences punishable under Sections 30(a), 38 and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 155.520 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 was a passerby of that way and he is neither owner nor driver of the seized vehicle in question. The petitioner is in custody since 06.03.2024 and has got no criminal antecedent. 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 Bahadurpur P.S. Case No. 96 of 2024.

(Rudra Prakash Mishra, J)

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