

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30941 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- HATHUA District- Gopalganj

Harkesh Singh S/o Late Bhola Singh R/o vill - Machhagar Jagdish, P.O. and
P.s. - Hathua, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmveer Jha

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hathua
P.S. Case No. 35 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 total 78.400
liters of illegal liquor was recovered from a *Hut*.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner and the place of occurrence does not
belong to him. Learned counsel further submitted that petitioner
has no concern with the wine in question. The petitioner is in



custody since 29.02.2024 and has one 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 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 Hathua P.S. Case No.
35 of 2024.

(Rudra Prakash Mishra, J)

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