

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32378 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- SINDHUGAR District- Gaya

Shyamdeo Kumar S/o Ravindra Yadav Resident of Village - Mocharak, P.S. -
Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, 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
Sindhugarh P.S. Case No. 6 of 2024 instituted for the offences
under Sections 30(a) and 30(d) of the Bihar Prohibition and
Excise Act and Sections 2(ra) & 2(kha) and 18 of Bihar Mahua
Flower Rules.

3. The prosecution case, in short, is that 350 liters of
country made liquor and 120 kg mahua flower were recovered
from four motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Petitioner is neither owner of the said motorcycles



nor has he any concern with the same. 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 12.03.2024 and has got no criminal antecedent. 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, clean antecedent of the petitioner 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 Sindhugarh P.S. Case No. 6 of 2024.

(Rudra Prakash Mishra, J)

Prakash/-

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