

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32385 of 2024

Arising Out of PS. Case No.-236 Year-2023 Thana- LAKHNAUR District- Madhubani

Shambhu Saday S/o Triloki Saday R/o Village - Adalpur, PS Lakhanaur RS
OP District Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 G.R.
No. 783 of 2023 arising out of Lakhanaur P.S. Case No. 236 of
2023 instituted for the offences under Sections 272, 273 and 34
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 396 liters of
liquor was recovered from a ditch near the road.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Recovery has not been made from the premises of
the petitioner. 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 02.04.2024 and has got antecedent of one another criminal case. 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 G.R. No. 783 of 2023 arising out of Lakhanaur P.S. Case No. 236 of 2023.

(Rudra Prakash Mishra, J)

Prakash/-

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