

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31078 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- SUGOULI (R.T) District- Muzaffarpur

Kunal Kumar Son of Rajkishor sah RESIDENT OF VILLAGE - SAVAIYA,
WARD NO.18, P.S.-KOTWA, DIST- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar Tiwari

For the Opposite Party/s : Mr.Ahmad Ali

**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 Sugouli
(R.T.) P.S. Case No. 12 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. As per prosecution case, there has been recovery of
27 liters of illegal liquor from the bag of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was apprehended on spot. Petitioner has no concern
with the alleged recovery of liquor. No incriminating article has
been recovered from the conscious possession of the petitioner.



The provision of Section 100 of the Cr.P.C. has not been followed in this case. On the basis of suspicion, petitioner has been implicated in the present case. The petitioner is in custody since 26.02.2024 and has no criminal antecedent.

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 as well as 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 Sugauli (R.T.) P.S. Case No. 12 of 2024.

(Rudra Prakash Mishra, J)

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