

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32347 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- SUGAULI District- East Champaran

Subhash Kumar Son Of Chhotelal Sahani Resident Of Village - Mehawa, P.S.
- Sugauli, District - East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore@ Kundan Kumar, Advocate
For the Opposite Party/s : Mr. Indu Kumari Srivastava, 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 Sugauli P.S. Case No.
114 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that a total 25
liters liquor was recovered from two motorcycle.

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 motorcycle
nor has he any concern with the seized liquor. 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 17.03.2024 and has got antecedent of two criminal cases. 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 Sugauli P.S. Case No. 114 of 2024.

(Rudra Prakash Mishra, J)

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