

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32794 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- BUNIYAD GANJ District- Gaya

Rahul Kumar Son of Late Rambali Singh @ Rambali Ram R/o Vill.-
Bokanari, P.S.- Paraiya, Dist.- Gaya, At present C/O. Srikant Paswan, R/O
Kali Asthan, Murali Hill, Bairagi, P.S.- Kotwali, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

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

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Buniyadganj P.S. Case
No. 68 of 2024, instituted for the offences punishable under
Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 267 liters
liquor was recovered from the petitioner and co-accused persons
out of which 92 liters liquor was recovered from the bag of the
petitioner. The petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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. It is further submitted that the seized bags does not belong to the petitioner. The petitioner is in custody since 25.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Buniyadganj P.S. Case No. 68 of 2024.

(Rudra Prakash Mishra, J)

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