

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33007 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- SIMRI District- Buxar

Santosh Kumar Yadav Son Of Bhrigunath Yadav @ Bhrigu Yadav Village-
Shivpur Diar Vyasi Hardeo Singh Ke Dera, Ps- Kotwali Dist- Balia Up

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr.Kamal Deo Sharma, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Simri
(Dera OP) PS Case No. 121 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 313.53 liters
liquor was recovered from Scorpio.

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. Petitioner is said
to be the driver of the vehicle and was oblivious of the fact that



illicit liquor was laden in the vehicle. The petitioner is in custody since 31-03-2024 and has got two 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 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 Simri (Dera OP) PS Case No. 121 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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