

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36280 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- WAJIRGANJ District- Gaya

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Gaurav Kumar @ Abhishek Kumar Son of Sudhir Singh @ Sudhir Kumar
Resident of Village- Pura , P.S- Wazirganj, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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

ORAL ORDER

5 13-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Wazirganj PS Case No. 124 of 2024 instituted for the offences
under Sections 30(a), 41 & 52 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 151.625 liters
liquor was recovered from abandoned house of late Kailash
Prasad.

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 submitted that petitioner is neither concerned with the abandoned house nor the vehicle. The petitioner is in custody since 19-03-2024 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 Wazirganj PS Case No. 124 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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