

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35275 of 2024

Arising Out of PS. Case No.-455 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Rudal Sah Son Of Badri Sah Resident Of Village - Nabiganj, P.S. - Bhagwan
Bazar, District - Saran At Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhagwan Bazar P.S. Case No. 455 of 2023 dated 25.11.2023 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 120 litres of illicit country made liquor was recovered near the Brahampur Bridge.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery rather the recovery has been made from an open



place which is accessible to anyone. The petitioner has twelve criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 455 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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