

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35930 of 2024

Arising Out of PS. Case No.-464 Year-2023 Thana- Excise P.S. District- Khagaria

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Kundan Yadav Son of Turanti Yadav Village_ Ranko(Chandra Nagar), P.S.
Muffasil, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

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

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

ORAL ORDER

2 10-05-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 464 of 2023, arising out of Excise Case No.
1212C3 of 2023 instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 35.6 litres
of codeine was recovered from house of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. The co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 01.03.2024 passed in Cr. Misc. No. 14139 of 2024. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 22.03.2024 and has one criminal antecedent. There is no compliance of Section 100 of the 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, claim based on parity 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 Excise P.S. Case No. 464 of 2023, arising out of Excise Case No. 1212C3 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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