

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36282 of 2024

Arising Out of PS. Case No.-168 Year-2024 Thana- KHAJEKALA District- Patna

Bittu Kumar Son Of Binod Kumar Village- Belwarganj Quarter, Ps-
Alamganj, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate
For the Opposite Party/s : Mrs. Meena Singh, APP

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

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Khajekalan P.S. Case
No. 168 of 2024, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 49.200 liters
liquor was recovered from bag which was in the possession 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 bag does not belong to the petitioner. The petitioner was arrested on the basis of suspicion. The petitioner is in custody since 12.04.2024 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 Khajekalan P.S. Case No. 168 of 2024.

(Rudra Prakash Mishra, J)

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