

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36293 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- CHHAURADANO District- East
Champaran

Sandeep Kumar Son of Satrudhan Bhagat Resident of Village - Naga Road
Raxaul, Ward No.- 22, P.S.- Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nand Kumar, 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 Chhauradano P.S. Case
No. 72 of 2024, instituted for the offences punishable under
Sections 30(a) and 41(1) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 191.400
liters liquor was recovered from the bank of river. 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 alleged place of recovery does not belong to the petitioner, rather it is an open place which is accessible to everyone. The petitioner is in custody since 24.03.2024 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 Chhauradano P.S. Case No. 72 of 2024.

(Rudra Prakash Mishra, J)

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