

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37729 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- SABAUR District- Bhagalpur

Sitaram Kumar Son of Ram Narayan Yadav R/O Vill.- Mahavdevpur, P.S.-
Pirpanti, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr.Uday Pratap Singh

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

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sabaur
P.S. Case No. 101 of 2024 instituted for the offences under
Sections 30(a) and 45 of the Bihar Prohibition and Excise
Amendment Act.

3. As per prosecution case, in short, is that 48.75 liters
of IMFL was recovered from a trolley bag from a bike.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from
the conscious possession of the petitioner. Petitioner has got no
concern with the alleged recovery of liquor. The provision of



Section 100 of the Cr.P.C. has not been followed in this case. He further submitted that the others co-accused have already been granted bail by this Court vide order dated 30.04.2024 passed in Cr. Misc. No. 32441 of 2024. The petitioner is in custody since 17.03.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case as well as 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 Sabaur P.S. Case No. 101 of 2024.

(Rudra Prakash Mishra, J)

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