

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37962 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- KHANPURA District- Samastipur

Sushil Kumar Son of Pramod Kumar Prasad Resident of Village- Ekta Chawk, P.S.- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Advocate
For the Opposite Party/s : Mr.Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

- 217-05-2024
1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Khanpura P.S. Case No. 61 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 144 litres of liquor was recovered from the house of co-accused Raushan Kumar.

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 rather the recovery has been made from the house of co-accused Raushan Kumar. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.04.2024 and has no 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, clean antecedent 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 Khanpura P.S. Case No. 61 of 2024.

(Rudra Prakash Mishra, J)

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