

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41790 of 2024

Arising Out of PS. Case No.-170 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Saheb Kumar Son of Shiv Sahani R/O Vill.- Tikuliya Dhab Tola, P.S.-
Muffasil, Motihari, Dist.- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Prasad
For the Opposite Party/s : Mr.Arun Kumar

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

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Motihari
Muffasil P.S. Case No. 170 of 2024 instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act and Sections 272 and 273 of the Indian Penal Code.

3. The prosecution case, in short, is that total 70 liters
of liquor was recovered from a motorcycle.

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 petitioner has got no concern
with the alleged recovery of liquor. Petitioner has no concern



with the alleged vehicle in question. The petitioner is in custody since 14.04.2024 and has one criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. 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 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 Motihari Muffasil P.S. Case No. 170 of 2024.

(Rudra Prakash Mishra, J)

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