

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 42829 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- Excise P.S. District- Bhojpur

Sithal Yadav @ Shivtahal Yadav Son Of Sita Ram Yadav R/O- Village- Anar,
Ward No. 14, P.S.- Bihiya, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh
For the Opposite Party/s : Mr.Shaheen Begum

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

ORAL ORDER

2 24-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 62 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 total 120 liters
of liquor was recovered from a bush.

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 and the place of occurrence
is a joint house property of the petitioner where other family



members reside. The petitioner is in custody since 24.03.2024 and has no criminal antecedent. Moreover, it is submitted that the other co-accused has already been granted bail by this Court vide order dated 08.04.2024 passed in Cr. Misc. No. 26672 of 2024. 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 Excise P.S. Case No. 62 of 2024.

(Rudra Prakash Mishra, J)

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