

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42442 of 2024

Arising Out of PS. Case No.-259 Year-2024 Thana- RUPASPUR District- Patna

Bholu Yadav @ Rajesh Son Of Suresh Rai Village- Anai Chakiya, P.S.- Ara,
Distt.- Bhojpur, At Present Kuan Par Rupaspur, P.S.- Rupaspur, Distt.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**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 Special Excise Case No.
1314 of 2024, arising out of Rupaspur P.S. case No. 259 of
2024 instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 113 liters
liquor was recovered from the house of the petitioner.

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 recovery is made from the joint house of the petitioner where other family members also reside. The petitioner is in custody since 10.04.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Excise Case No. 1314 of 2024, arising out of Rupaspur P.S. case No. 259 of 2024.

(Rudra Prakash Mishra, J)

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