

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45750 of 2024

Arising Out of PS. Case No.-140 Year-2024 Thana- SIRDALA District- Nawada

Mohan Kumar @ Mohan Kumar Ray S/o Birendra Ray R/o vill - Dhiraundh,
P.S. - Siradalla, Distt. - Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sirdalla P.S. Case No. 140 of 2024 dated 03.04.2024 registered for the offences punishable u/ss 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 120 litres of illicit country made liquor was recovered from the motorcycle allegedly driven by the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner.



The co-accused person has already been granted regular bail by this court vide order dated 13.05.2024 passed in Cr. Misc. No. 36417 of 2024. The petitioner has five criminal antecedents and he is on bail in two cases as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Sirdalla P.S. Case No. 140 of 2024 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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