

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43001 of 2024

Arising Out of PS. Case No.-104 Year-2024 Thana- TARARI District- Bhojpur

Akash Kumar Son Of Ramakant Singh Village- Mathiya, P.S.- Bikramganj,
Distt.- Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Diwakar , Advocate

For the Opposite Party/s : Ms.Asha Kumari, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Tarari P.S. case No. 104
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 40 liters liquor
was recovered from the motorcycle.

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. The
motorcycle in question does not belong to the petitioner. It is



further submitted that the petitioner is said to rider of the motorcycle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 10.05.2024 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 Tarari P.S. case No. 104 of 2024.

(Rudra Prakash Mishra, J)

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