

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42792 of 2024**

Arising Out of PS. Case No.-274 Year-2024 Thana- Excise P.S. District- Darbhanga

Anil Kumar S/o- Raj Kumar Mahto Resident of Village- Belhi, Police Station-
Baheri, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Darbhanga Excise
Prohibition Sadar P.S. case No. 274 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 216 liters
liquor was recovered from the flour mill.

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 name of the petitioner has transpired as being owner of the flour mill and the same is joint family property of the petitioner. The petitioner is in custody since 19.04.2024 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 Darbhanga Excise Prohibition Sadar P.S. case No. 274 of 2024.

(Rudra Prakash Mishra, J)

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