

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46394 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- JAYNAGAR District- Madhubani

Awadhesh Kumar Singh @ Awadhesh Singh S/o Late Shyam Chandra Singh
R/o vill - Khaira Tol, P.S. - Jay Nagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha, Advocate

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

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

ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jay Nagar PS Case No. 20 of 2024 instituted for the offences under Sections 272, 273, 414 & 34 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 279 liters liquor was recovered from behind the house of the co-accused, namely, Gurusharan Sah. Petitioner was not arrested on the spot.

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 submitted that recovery is made from an open place, which is accessible to one and all. The petitioner is in custody since 30-04-2024 and has got two criminal antecedent. There is no compliance of Section 100 of Cr.P.C. It is submitted that charge sheet has been submitted in this case. Other co-accused has been granted bail by this Court *vide* order dated 15-03-2024, passed in Cr. Misc. No. 19640 of 2024.

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 Jay Nagar PS Case No. 20 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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