

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43342 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- JAYNAGAR District- Madhubani

Golu Kumar Mahto @ Golu Kumar S/O Vijay Mahto R/O-
Gainchowk, Bajitpur, P.S. -Bahadurpur, Distt-Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ugranath Mallik, Advocate
For the Opposite Party/s : Mr.Chaubey Jawahar, APP

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

ORAL ORDER

2 21-06-2024 Heard Mr. Ugranath Mallik, learned counsel for the
petitioner and Mr. Chaubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in connection with Jainagar
P.S. Case No. 101 of 2024 instituted for the offences punishable
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 total 765 litres
of liquor was recovered from pickup van and the petitioner was
arrested on the spot.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 02.04.2024 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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 Jainagar P.S. Case No. 101 of 2024.

(Rudra Prakash Mishra, J)

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