

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44307 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- DIDARGANJ District- Patna

Umil Kumar S/o Hriday Ray R/o vill - Mirzapur, P.S. - Raghapur, Distt. -
Vaishali, At present R/o vill - Didarganj, chor Masjid Gali, P.s. - Didarganj,
Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Didarganj P.S. case No.
148 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 50 liters liquor
was recovered from the Tempo and the petitioner was arrested
on 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



further submitted that the petitioner is not the owner of the tempo in question. The petitioner is said to be driving the tempo and he had no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 26.04.2024 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 Didarganj P.S. case No. 148 of 2024.

(Rudra Prakash Mishra, J)

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