

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43856 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- UJIYARPUR District- Samastipur

Randheer Kumar @ Randhir Kumar S/O Yogendra Singh @ Gabbar Singh
R/O Village-Kerai, ward no.04, Tola Sarpatti, P.S.-Bibhutipur, Distt-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2 25-06-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Ujiarpur P.S. case
No. 85 of 2024 instituted for the offences under Sections
30(a), 41(2)(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 459 liters
liquor was recovered from two cars.

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 come on the basis of disclosure made by co-accused. The petitioner is neither the owner nor the driver of the vehicles in question. The petitioner is in custody since 20.05.2024 and has got three criminal antecedents in which he is on bail. 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 Ujiarpur P.S. case No. 85 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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