

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45437 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- BHORE District- Gopalganj

Dilip Kumar Yadav son of Birjhan Yadav @ Brijhan Yadav Village- Tiwari
Bagahawa Ps- Bhorey Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate
For the State : Mr. Abhay Kumar, 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 Bhore
PS Case No. 67 of 2024 instituted for the offences under
Sections 30(a) & 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 209.1 liters
liquor was recovered from car and 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 petitioner is neither the owner nor the driver of the vehicle in question. The petitioner is in custody since 10-05-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court *vide* order dated 10-05-2024, passed in Cr. Misc. No. 32979 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, clean antecedent of the petitioner 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 Bhore PS Case No. 67 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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