

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44551 of 2024

Arising Out of PS. Case No.-425 Year-2024 Thana- Excise P.S. District- Gopalganj

Kalpnaath Yadav Son Of Garjan Yadav Village- Sipaya Tola, Ps-
Bishambharpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Dimpal Kumari, Advocate

For the Opposite Party/s : Mr.Suresh Prasad Singh, 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 Excise P.S. case No.
425 of 2024 instituted for the offences under Sections 30(a) and
32 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 270 liters
liquor was recovered from the Bolero vehicle.

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 vehicle in question does not belong to



the petitioner. The petitioner is in custody since 09.05.2024 and has got two criminal antecedents. 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 Excise P.S. case No. 425 of 2024.

(Rudra Prakash Mishra, J)

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