

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45394 of 2024

Arising Out of PS. Case No.-257 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

=====

Kishan Kumar @ Kanhaiya Kumar, aged about 24 years, Male, son of Viro Yadav @ Birendra Prasad Yadav, resident of Village- Kapasiya, P.S.- Town, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

=====

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 02-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Case No.257 C2 of 2018 dated 18.09.2018, instituted under
Section30(a) of the Bihar Prohibition and Excise Act, 2016

3. The allegation is of recovery of 8.640 litres illegal
liquor from a house.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. It is further submitted that the alleged recovery of wine has
been made from behind the house of Vinod Yadav. The
petitioner has been made accused only on the disclosure made
by Dharmendra Kumar. The petitioner has no concern with the



alleged recovered wine or with the house. Further submission is that similarly situated co-accused Sonu Kumar @ Geet Sagar has been granted bail by this Court by order dated 20.07.2024 passed in Cr. Misc. No.43938 of 2024. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Begusarai, in Case No.257 C2 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

U		T	
---	--	---	--

