

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47928 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- CHAORI District- Bhojpur

Lagan Singh son of Late Ayodhya Singh Village- Degodihari Ps- Charpokhari
Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Singh, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Chauri P.S. Case No. 34
of 2024, instituted for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 200 liters
liquor was recovered from the bank of Banas river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this 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 alleged place of recovery is an open place which is easily accessible to public at large. The petitioner was not arrested on spot. Name of the petitioner has transpired on the basis of disclosure made by local chowkidar. The petitioner is in custody since 20.05.2024 and has got two criminal antecedents in which the petitioner is on bail in one case. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chauri P.S. Case No. 34 of 2024.

(Rudra Prakash Mishra, J)

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