

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48155 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- Gurupa District- Gaya

Naresh Kumar son of Ramdeo Yadav Village- Gurpa Ps- Gurpa Dist- Gaya
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Veena Kumari Jaiswal, 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 connection with Gurpa
P.S. Case No. 20 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.

3. As per prosecution case, the police has recovered
100 liter illegal country made Mahua liquor from the
motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
due to highhandedness of the police. He further submits that
nothing incriminating has been recovered from the conscious
possession of the petitioner. The petitioner has no concern with



the alleged motorcycle or the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 17.05.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Gurpa P.S. Case No. 20 of 2024.

(Rudra Prakash Mishra, J)

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