

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55991 of 2024

Arising Out of PS. Case No.-301 Year-2023 Thana- CHIRAIYA District- East Champaran

Sudama Yadav @ Sudama Rai Son Of Late Srinaryan Yadav @ Late
Shrinarayan Ray Village- Semra Thath, Ps- Chiraiya, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest in connection
with Chiraiya P.S. Case No. 301 of 2023 instituted for the
offences under Sections 272, 273 of the IPC and Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 80 litres
of liquor was recovered from three plastic bags.

4. Learned counsel for the petitioner submitted that
the petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. The petitioner has got no concern
with the alleged recovery of liquor. The petitioner has no



criminal antecedent. There is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted regular bail by this Court *vide* order dated 18-04-2024, passed in Cr. Misc. No. 28170 of 2024.

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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory 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 Chiraiya P.S. Case No. 301 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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