

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54038 of 2024

Arising Out of PS. Case No.-398 Year-2024 Thana- ALAMGANJ District- Patna

Subhash Kumar Son of Ramjanam Yadav @ Ram Janam Ray R/O Vill.-
Govindpur, P.S.- Kurtha, Dist.- Arwal, At present Mirchaiya Tola @ Mirachi
Tola, P.S.- Alamganj, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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

ORAL ORDER

- 2 07-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in connection with
Alamganj P.S. Case No. 398 of 2024 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 40 litres
of illicit liquor was recovered from this petitioner.
4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case merely on the basis of suspicion. No incriminating



article has been recovered from the conscious possession of the petitioner. Charge-sheet has been submitted in this case. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 16.05.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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, clean antecedent 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 Alamganj P.S. Case No. 398 of 2024.

(Rudra Prakash Mishra, J)

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