

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50908 of 2024**

Arising Out of PS. Case No.-113 Year-2023 Thana- GARHI District- Jamui

Ram Kumar Son of Titu Yadav Resident of Vill- Ketaribank, P.S.- Garhi,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Garhi P.S. Case No. 113 of 2023 instituted for the offences
under Sections 272, 273 of the Indian Penal Code and Sections
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres
of liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the motorcycle from which the alleged recovery has been made. Learned counsel for the petitioner further submitted that petitioner was not present at the place of occurrence rather his name has transpired in this case on the basis of disclosure made by the local chowkidaar. The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted regular bail by this Bench vide order dated 19.06.2024 passed in Cr. Misc. No. 41995 of 2024. The petitioner has three criminal antecedents. 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, 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 Garhi P.S. Case No.



113 of 2023, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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