

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50993 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- RAHIKA District- Madhubani

Guddu Kumar Ram Son Of Ganga Ram Village- Jamsam, Ps- Pandaul, Dist-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Nand Kumar, 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 seeks bail in Rahika P.S. Case No.
78 of 2024, G.R. No. 548 of 2024, instituted for the offences
punishable under Sections 272, 273/34 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 100 liters
spirit was recovered from tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present 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 spirit. It is further



submitted that the petitioner is owner of the tempo in question. The petitioner is in custody since 12.04.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted bail by this Court vide order dated 27-06-2024, passed in Cr. Misc. No. 45086 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 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 Rahika P.S. Case No. 78 of 2024, G.R. No. 548 of 2024.

(Rudra Prakash Mishra, J)

Raj kishore/-

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