

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52178 of 2024

Arising Out of PS. Case No.-136 Year-2021 Thana- KHARIK District- Bhagalpur

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RAMESH RAM S/O RAM SHREE RAM R/O VILLAGE- KOTWA, P.S-
KOTWA, DISTT.- EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar, APP

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

ORAL ORDER

2 19-07-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kharik
P.S. Case No. 136 of 2021 instituted for the offences punishable
under Sections 30(a), 38(i) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 10720
litres of spirit has been recovered from the truck.

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 name of the petitioner
transpired in this case on the basis of confessional statement of
the co-accused. Learned counsel further submitted that



petitioner is neither the owner nor the driver of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The co-accused person has already been granted bail by this Bench vide order dated 16.02.2024 passed in Cr. Misc. No. 6796 of 2024. The petitioner is in custody since 06.06.2024 and has two 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, claim based on parity 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 Kharik P.S. Case No. 136 of 2021.

(Rudra Prakash Mishra, J)

Alok Verma/-

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