

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55238 of 2024**

Arising Out of PS. Case No.-323 Year-2023 Thana- AMDABAD District- Katihar

Abhijeet Kumar @ Abhijeet Yadav @ Kriti Yadav Son Of Pramod Yadav
Village- Mirjapur Baghar, Ps- Manihari, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

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

ORAL ORDER

- 2 02-08-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Amdabad P.S. Case No. 323 of 2023 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 698.115 litres of liquor has been recovered from pickup van.
4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that petitioner was not apprehended on the spot, rather he has been implicated in this case only on the basis of CDR, stating therein that there is conversation between the apprehended persons and the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. 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 persons have already been granted bail by this Bench vide order dated 21.02.2024 passed in Cr. Misc. No. 10528 of 2024. The petitioner is in custody since 28.06.2024 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 Amdabad P.S. Case
No. 323 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

