

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54417 of 2024

Arising Out of PS. Case No.-330 Year-2023 Thana- BAUNSI District- Banka

Pradeep Kumar S/o Late Mahendra Ram R/o Mundichak, P.S.-Tilkamanjhi,
District-Bhagalpur, at present residing at M/S Bullet Show Room, P.S.-
Dumka, District-Dumka, Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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

ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in Bounsi
P.S. case No. 330 of 2023 registered under Sections 30(a) and
47 of the Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 250.5
liters liquor was recovered from a mini truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. The petitioner has got no criminal antecedent.
The name of the petitioner has transpired on the basis of
confessional statement of co-accused namely Lalit Kumar
which has no evidentiary value. It is further submitted that



recovery is made from the truck in question. The petitioner has no concern with the truck in question. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no knowledge and concern with the alleged recovery of liquor. There is no compliance of Section 100 of Cr.P.C. Co-accused has been granted bail by this Bench vide order dated 25.06.2024 passed in Cr. Misc. No. 34761 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks 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 the Court below/concerned Court in connection with Bounsi P.S. case No. 330 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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