

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55085 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- GARHI District- Jamui

Ram Kumar @ Ram Kumar Yadav S/O Titu Yadav R/O Village- Ketaribank,
P.S- Garhi, Distt.- 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.Manoj Kumar, APP

**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 Garhi
P.S. case No. 26 of 2024 registered under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution allegation, in short, is that 200
liters liquor was recovered from open field.

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 three criminal antecedents
and he is on bail in all three cases. No incriminating material
has been recovered from the conscious possession of the
petitioner. It is further submitted that the recovery is made from



the open field accessible to any one. 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.

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 Garhi P.S. case No. 26 of 2024, 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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