

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57222 of 2024

Arising Out of PS. Case No.-516 Year-2023 Thana- HARSIDHI District- East Champaran

Surendra Ram S/O Late Jaikishun Ram R/O Village- Jailmurarpur, P.S-
Harsidhi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, Adv.

For the Opposite Party/s : Mr.Bishweshwar Ram, 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 seeks bail in connection with
Harsidhi P.S. Case No. 516 of 2023 instituted for the offences
under Sections 272 and 273 of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise (Amendment)
Act.

3. As per prosecution case, the police has recovered
total 100 liters liquor from five plastic sack from the field.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious/constructive possession of the petitioner. There is also no specific allegation against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the seized liquor. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the local Chaukidar. There is non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 21.06.2024 without any rhyme or reason.

5. Learned counsel for the petitioner again submits that the co-accused namely Sukai Ram @ Sukhdev Ram has been granted bail by this Court vide order dated 25.06.2024 passed in Cr. Misc. No. 43864 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Harsidhi P.S. Case
No. 516 of 2023.

(Rudra Prakash Mishra, J)

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