

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58824 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- SURSAND District- Sitamarhi

Gautam Kumar @ Baban Giri Son of Ram Narayan Giri R/O Vill.- Bharehwa
Baghari, P.S.- Runnisaidpur, Dist.- Sitamarhi, Bihar, 843323

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar, Advocate
For the Opposite Party/s : Mrs.Gulnar Begum, 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 apprehends his arrest in connection
with Sursand P.S. Case No. 60 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 360 litres
of liquor was recovered from car and motorcycle.

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. 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 petitioner has five criminal antecedents. There is no compliance of Section 100 of the Cr.P.C. The co-accused person has already been granted regular bail by this Bench vide order dated 01.05.2024 passed in Cr. Misc. No. 32717 of 2024.

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, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months 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 Court below/concerned Court in connection with Sursand P.S. Case No. 60 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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