

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66724 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- BHORE District- Gopalganj

Jai Prakash Yadav @ Bhola Yadav S/O Harindra Yadav R/O Village-
Kalyanpur, P.S- Bhorey, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

3 25-10-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Bhorey P.S. Case No.
67 of 2024, registered under Sections 30(a) and 41(1) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 209.1 liters
liquor was recovered from car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. Learned counsel
for the petitioner also submits that the petitioner was not



arrested on spot. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Subodh Kumar and Ranjan Kumar and the same has got no evidentiary value. The petitioner is in custody since 23.06.2024 and has got six criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 12.07.2024 passed in Cr. Misc. No. 46819 of 2024. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhorey P.S. Case No. 67 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

