

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62297 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- UCHKAGAON District- Gopalganj

Sanjay Sah S/o- Paspati Sah Village- Birwat bazar, Ps-Uchkagaon Dist-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj, Advocate

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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

ORAL ORDER

2 30-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. Earlier, the petitioner had moved this Court for grant of anticipatory bail which was rejected vide order dated 10.07.2024 passed in Cr. Misc. No. 46137 of 2024.

3. The petitioner seeks bail in Uchakagaon P.S. case No. 112 of 2024 instituted for the offences under Sections 30(a) and 30(b) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that 513 liters liquor was recovered from the bushes.

5. 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 further submits that recovery is made from the open place which is accessible to one and all. The petitioner is in custody since 02.08.2024 and has got six criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C. Co-accused has been granted regular bail by this Bench vide order dated 19.06.2024 passed in Cr. Misc. No. 41575 of 2024.

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

7. 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Uchakagaon P.S. case No. 112 of 2024.

(Rudra Prakash Mishra, J)

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