

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63817 of 2024

Arising Out of PS. Case No.-227 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Samendra Yadav Son of Kedar Yadav Resident of Village - Rampur Madho,
P.S. - Kuchaikote, District - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Adv.

For the Opposite Party/s : Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kuchaikote P.S. Case No. 227 of 2024 dated 26.05.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 88.4 litres of illicit country made liquor kept in two sacks was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the seized motorcycle. The name of the petitioner was disclosed by the local Chowkidar. Nothing has been recovered from the conscious possession of the



petitioner. The petitioner has no concern with the alleged recovery. The petitioner has ten criminal antecedents out of which in nine cases he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 25.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Kuchaikote P.S. Case No. 227 of 2024, with the condition:-

(i) That the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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