

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71538 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- Geedha District- Bhojpur

Chandan Ram Son of Harendra Paswan Resident of Village - Mokhalisa, P.S.
- Gidha, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

2 05-10-2024 Learned counsel for the petitioner is directed to make

necessary correction in the provision portion of the present

application in course of the day.

2. Heard Mr. Raju Kumar Singh, learned counsel for
the petitioner and Mr. Choubey Jawahar, learned APP for the
State.

3. The petitioner seeks bail in connection with Gidha
P.S. Case No. 94 of 2024 instituted for the offences punishable
under Sections 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total 100 litres
of liquor has been recovered from open place.

5. 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 rather the recovery has been made from an open place which is accessible to local people. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 09.08.2024 and has one criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

6. Learned APP 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.

8. 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 Gidha P.S. Case No. 94 of 2024.

(Rudra Prakash Mishra, J)

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