

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76186 of 2024**

Arising Out of PS. Case No.-317 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

Gaurishankar Bind Son of Khedoo Bind Resident of Village - Bajraha, P.S. -  
Kudra, District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Kiran Kumari Sharma, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      23-10-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. In this present case, the petitioner seeks bail in connection with Kudra P.S. Case No. 317 of 2024, registered for the offences under Sections 30(a), (b), (c) of the Bihar Prohibition and Excise Act, 2022.

3. As per prosecution case, recovery of 6 litres of *Mahua* liquor was made from the bathroom of the petitioner and the petitioner was apprehended while fleeing away from his house.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He has not committed any offence. There is no compliance of provisions of BNSS



regarding search and seizure. Petitioner is involved in three cases of similar nature and the petitioner has been granted bail in all the three cases. The petitioner is in custody since 14.09.2024.

5. Learned A.P.P. for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of seized liquor and further considering the period of custody of the petitioner, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Kaimur at Bhabhua/concerned court in connection with Kudra P.S. Case No. 317 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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