

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74985 of 2024

Arising Out of PS. Case No.-51 Year-2024 Thana- KORMA District- Sheikhpura

Indal Ram Son of Jhingan Ram Resident of village - Bhadaushi, P.S.- Korma,
District - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Adv.

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

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

ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Korma
P.S. Case No. 51 of 2024 instituted for the offences under
Section 30(a) (c) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered 15
liter illicit country made liquor from the plastic gallon.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner has no concern with the seized liquor. He further
submits that due to local politics, the *Chaukidar* has taken the
name of the petitioner. He further submits that the liquor has



been recovered from the hut having no door and the petitioner lives with his family at far distance from the said hut. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents of similar nature of offences and in all of them, he is on bail. The petitioner is languishing in judicial custody since 27.08.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Korma P.S. Case No. 51 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the



Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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