

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77956 of 2024

Arising Out of PS. Case No.-380 Year-2024 Thana- TEKARI District- Gaya

Sunny Kumar @ Sunny Yadav Son of Mohan Yadav R/o Vill- Manpur Surya
Pokhra Par, P.S - Buniyadganj, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

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

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

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Tekari P.S. Case No.
380 of 2024, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 40 liters
liquor was recovered from motorcycle and the petitioner was
apprehended on spot.

4. 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



for the petitioner further submits that petitioner is not the owner of the motorcycle in question. The petitioner was a passerby of that way and on the basis of suspicion he was arrested by the police. The petitioner is in custody since 15.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Tekari P.S. Case No. 380 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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