

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77342 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- NADI District- Supaul

Birendra Kumar Yadav @ Birendra Yadav @ Virendra Kumar Yadav Son of
Raja Ram Yadav R/O-Village- Sarahna Bela, P.S.- Nadi, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Yadav, Adv.

For the Opposite Party/s : Mr.Sucheta Yadav, APP

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

ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Supaul Nadi P.S. Case No. 60 of 2024 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise (Amendment) Act, 2018.

3. As per prosecution case, the police has recovered

total 360 litres of illicit Nepali liquor from the Banana

orchard of the petitioner.

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. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner was not present at the place of occurrence and was arrested after two months of the alleged date of occurrence. The petitioner has no concern with the seized liquor. 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 no criminal antecedent and is languishing in judicial custody since 10.09.2024 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 and the petitioner having no criminal antecedent, 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 Supaul
Nadi P.S. Case No. 60 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

