

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76285 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- BHORE District- Gopalganj

Chhotelal yadav S/O Late Rajdev Yadav R/O Khalwatola, P.S- Phulwariya,
Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2 23-10-2024 Heard Mr. Deepankar Raj, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Bhore
P.S. Case No. 210 of 2024 instituted for the offences punishable
under Sections 317(5) of BNS and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 80.2 litres
of liquor has been recovered from motorcycle.

4. 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. Learned counsel further submitted that petitioner is not the owner of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 08.08.2024 and has six criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhore P.S. Case No. 210 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the



bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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