

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77748 of 2024

Arising Out of PS. Case No.-456 Year-2024 Thana- BUXAR District- Buxar

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Ganesh Singh S/o- Late Ganga Singh Resident village- Chotaki sarimpur,
ward no.- 35, P.S.- Buxar (nagar), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Advocate

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

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**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 connection with Buxar
(Town) P.S. Case No. 456 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 total 35.46
litres of foreign liquor has been recovered from two places, out
of which 23.55 litres has been recovered from the courtyard of
the petitioner's house.

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 rather the recovery has been made from the joint house of the petitioner where other family members of the petitioner also reside. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 22.08.2024 and has no criminal antecedent. 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, clean antecedent 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 Buxar (Town) P.S. Case No. 456 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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