

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78298 of 2024

Arising Out of PS. Case No.-87 Year-2018 Thana- KURSAKANTA District- Araria

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Suman Kumar Yadav Son of Risho Yadav @ Riso Yadav Resident of Village -
Sunamgani Godam, P.S. - Sonamani, District - Araria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gaurav Kumar Verma, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

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

ORAL ORDER

2 30-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kursakanta P.S. case
No. 87 of 2018 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 220.5 liters
liquor was recovered from motorcycle.

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 is
not named in the F.I.R. The petitioner has got no concern with
the alleged recovery of liquor. It is further submitted that the



name of the petitioner has sprung as being owner of the motorcycle. The petitioner has given his motorcycle to his relation for personal use. The petitioner is in custody since 29.07.2024 and has got no criminal antecedent. Charge-sheet has already been submitted in this case. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 Kursakanta P.S. case No. 87 of 2018.

(Rudra Prakash Mishra, J)

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