

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77725 of 2024

Arising Out of PS. Case No.-1280 Year-2024 Thana- AHIYAPUR District- Muzaffarpur

Suraj Kumar Son of Sharvan Ram Resident of Patiyasa, Ward No.6, P.S. -
Ahiyapur (Garhan O.P.), District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, 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 connection with
Ahiyapur (Garha O.P.) PS Case No. 1280 of 2024 instituted for
the offences under Sections 30(a) & 41(1) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 216 liters
liquor was recovered from the house of the petitioner. Petitioner
was arrested on the 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. Recovery is made from joint house of the petitioner, where other family members also resides. The petitioner is in custody since 16-09-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Charge sheet has already been submitted in this case.

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, clean antecedent of the petitioner 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 Ahiyapur (Garha O.P.) PS Case No. 1280 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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