

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81734 of 2024

Arising Out of PS. Case No.-272 Year-2024 Thana- LAURIA District- West Champaran

Vikash Sah @ Laddu Sah @ Vikash Kumar Son of Late Jhalan Sah Resident
of Village- Padraun, PS- Lauriya, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Lauriya
P.S. Case No. 272 of 2024 instituted for the offences punishable
under Sections 274, 275 of the Bharatiya Nyaya Sanhita, 2023
and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 92 litres
of liquor has been recovered from plastic sack and plastic bag.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. The
name of the petitioner transpired in this case on the basis of
disclosure made by the local *chowkidar*. No incriminating
article has been recovered from the conscious possession of the



petitioner rather the recovery has been made from an open place. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 27.08.2024 and has one 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 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 Lauriya P.S. Case No. 272 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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