

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82178 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- SINDHUGAR District- Gaya

Nitish Kumar Yadav @ Rahul Kumar S/o Late Naresh Yadav @ Lakhan
Yadav RO Village- Morchak, PS- Gorpa, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sindhugarh PS Case No. 06 of 2024 instituted for the offences
under Sections 30(a) and 30(d) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 350
litres of desi Mahua liquor and 120 kg mahua flowers was
recovered from four motorcycles.

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. It is submitted



that other co-accused namely, Shyamdeo Kumar disclosed the name of the petitioner. The motorcycles in question do not belong to the petitioner. The petitioner is in custody since 22.09.2024 and has got one criminal antecedent. 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sindhugarh PS Case No. 06 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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