

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82414 of 2024

Arising Out of PS. Case No.-385 Year-2024 Thana- RAJAPAKAR District- Vaishali

Dilip Kumar Son of Meghan Paswan @ Meghnath Paswan village- Dayalpur
Tanda PS- Baranti District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Rajapakar PS Case No. 385 of 2024 instituted for the offences
under Sections 30(a) & 30(d) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 25 liters
country made liquor, a gas stove, a gas cylinder and a drum
having its capacity of 20 L were recovered from cowshed made
of husk.

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. Petitioner was arrested on the spot. It is submitted that recovery is from an open place, which is accessible to one and all. It is submitted that petitioner has no concern with the cowshed. The petitioner is in custody since 18-10-2024 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajapakar PS Case No. 385 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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