

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82941 of 2024

Arising Out of PS. Case No.-7 Year-2022 Thana- DIDARGANJ District- Patna

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Satrudhan Prasad Kesari @ Satrudhan Prasad Keshari S/O- Late Ram Lakhan Prasad Kesari Village- Rikabganj Didarganj Chek Po Near Gali Sahuji Patrol Pump Ps- Didarganj Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Didarganj P.S. Case No. 07 of 2022, instituted for the offences punishable under Sections 30(a) and 36 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 50 liters liquor was recovered from tempo.

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. Learned counsel for the petitioner further submits that the petitioner was not



present at the place of occurrence and the petitioner is not named in the FIR. Name of the petitioner has transpired as being owner of the vehicle in question and he has no knowledge regarding the goods kept in the vehicle. The petitioner is in custody since 19.10.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Didarganj P.S. Case No. 07 of 2022.

(Rudra Prakash Mishra, J)

Rajorshi/-

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