

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84395 of 2024

Arising Out of PS. Case No.- Year-0 Thana- District- Madhepura

=====

Kundan Kumar @ Kundan Yadav Son of Late Satya Narayan Yadav R/O
Mathahi, Pithahi, ward no 11,P.S and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

=====

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

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with B.P.
No. 1724 of 2024 arising out of Madhepura Excise P.S. Non FIR
Case No. 501 of 2024 instituted for the offences under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is Petitioner has
consumed alcohol with machine reading as 43 mg/100 ml.

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. The petitioner
denies the allegation made in the F.I.R. The petitioner is in



custody since 17.07.2024 and has got two criminal antecedents.
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 B.P. No. 1724 of
2024 arising out of Madhepura Excise P.S. Non FIR Case No.
501 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

U		T	
---	--	---	--

