

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86851 of 2024

Arising Out of PS. Case No.-219 Year-2024 Thana- ROSERA District- Samastipur

Shyambabu Kumar Son of Lalbabu Mahto @ Lal Bahadur Mahto Resident of
Village - Nathudwar, P.S.- Khanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

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

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

ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rosra
PS Case No. 219 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 25 litres
of country made liquor was recovered from the motorcycle.

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 motorcycle in question does not belong to the petitioner.
The petitioner is in custody since 18.09.2024 and has got no



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, clean antecedent of the petitioner 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 Rosra PS Case No. 219 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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