

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86228 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- KADWA District- Katihar

Kundan Kumar Son of Prasadi Yadav Resident of Village - Mahthour, P.S. -
Dagarua, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

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

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kadba
PS Case No. 59 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 173.64 litres
of foreign liquor was recovered from the Car.

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 petitioner is neither the owner nor the driver of the seized
vehicle. The petitioner is in custody since 20.10.2024 and has



got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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 Kadba PS Case No. 59 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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