

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85904 of 2024

Arising Out of PS. Case No.-124 Year-2024 Thana- BHITAHA District- West Champaran

Amarjeet Rao Son of Ramadhar Singh @ Ramadhar Resident of Village - Mushahari, Ward No.10, P.S. - Dhanaha, District - West Champaran. At present Village - Jangal Naugavan, Police Station - Bishunpura, District - Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Bhitaha P.S. Case No. 124 of 2024 instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 17 litres of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that the name of the petitioner transpired as being the owner of the vehicle. Petitioner has no concern with the alleged recovery of liquor. The petitioner is in custody since 01.11.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhitaha P.S. Case No. 124 of 2024.

(Rudra Prakash Mishra, J)

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