

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86587 of 2024

Arising Out of PS. Case No.-239 Year-2024 Thana- ISUAPUR District- Saran

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Keshiya Kuwar @ Kismati Kuwar S/O Late Lal Babu Manjhi R/O Village-
Usri Kala, P.S.- Isuapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar Yadav, Adv.

For the Opposite Party/s : Ms.Pushpa Sinha.1, APP

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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 Isuapur
P.S. Case No. 239 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 05 litres of illicit country-made liquor from the house of
the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case
at the instance of local Mukhiya due to dispute relating to
election. He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. As
per seizure list, the alleged liquor was recovered near the house



of the petitioner with which the petitioner has no concern. The petitioner has never been indulged in illegal trade of illegal liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 18.10.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Isuapur P.S. Case No. 239 of 2024.

(Rudra Prakash Mishra, J)

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