

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7526 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- IMAMGANJ District- Gaya

Jugesh Kumar @ Jogesh Kumar S/o Late Shambhu Paswan Resident of Vill.-
Jolah Bigha, P.S. Imamganj, Dist. - Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

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

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

ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Imamganj P.S. Case No. 256 of 2023 instituted for the offences
under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 227.130
litres foreign liquor was recovered from *Scorpio* vehicle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on the spot. The name of the
petitioner came into light on the basis of confessional statement
of the co-accused, Gautam Kumar, who apprehended on the
spot. Nothing has been recovered from the conscious possession
of the petitioner. Petitioner has no concern with the alleged
recovery. Learned counsel further submitted that petitioner has
no concern with the vehicle from which the alleged recovery has



been made and he is not the owner of the vehicle in question. There is no compliance of Section 100 of the Cr.P.C. The co-accused person, Gautam Kumar, who was apprehended on the spot, has already been granted bail by a Coordinate Bench of this Court vide order dated 04.01.2024 passed in Cr. Misc. No. 81840 of 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.11.2023 and has no criminal antecedent.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Imamganj P.S. Case No. 256 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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