

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78275 of 2024

Arising Out of PS. Case No.-353 Year-2024 Thana- TARAIYA District- Saran

Sanjeev Kumar Gond S/O Baleshwar Gond Resident of Village - Khirgi
Rampur Bazar, P.S.- Jiradei, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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

ORAL ORDER

3 16-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Taraiya P.S. Case No. 353 of 2024 instituted for the offences
under Sections 318(4), 338, 336 of the Bhartiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act, 2022.

3. As per prosecution case, the police has recovered
05 liters of illicit spirit from the Bolero vehicle bearing Regd.
No. BR01BD7219.

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 due to ulterior motive. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is neither owner nor driver of the alleged seized Bolero vehicle. The petitioner has also no concern with the seized spirit. 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 no criminal antecedent and is languishing in judicial custody since 31.08.2024 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 and the petitioner having no criminal antecedent, 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 Taraiya P.S. Case
No. 353 of 2024.

(Rudra Prakash Mishra, J)

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