

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85371 of 2024

Arising Out of PS. Case No.-261 Year-2024 Thana- PHULWARIYA District- Gopalganj

Bittu Kumar S/O Kamlesh Yadav R/O Village- Siswaniya, P.S.- Uchkagaon,
District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vyas Kumar Mishra

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Phulwariya P.S. Case No. 261 of 2024 dated 15.09.2024 registered for the offences punishable u/s 317(5) of Bhariya Nyaya Sanhita and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 441 litres of illicit country made liquor was recovered from the Scorpio.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is neither the owner nor the driver of the said seized vehicle. The name of the petitioner has



transpired in this case merely on suspicion. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Phulwariya P.S. Case No. 261 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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