

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88074 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- BAGENGOLA District- Buxar

Guddu Kumar Son of Lalu Singh @ Laalu Singh Village -Sukartola
(Ramdiha) P.S- Bagengola District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. N.N. Tiwary, APP

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

ORAL ORDER

2 07-01-2025 Heard Mr. Ravi Shankar Pathak, learned counsel for
the petitioner and Mr. N.N. Tiwary, learned APP for the State.

2. The petitioner seeks bail in connection with
Bagengola P.S. Case No. 106 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 45.750
litres of country-made liquor has been 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 petitioner was not apprehended on the spot. It is further submitted that petitioner is only the owner of the vehicle in question and had no knowledge that the illicit liquor was loaded in the vehicle. The petitioner is in custody since 21.10.2024 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 Bagengola P.S. Case No. 106 of 2024.

(Rudra Prakash Mishra, J)

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