

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88059 of 2024

Arising Out of PS. Case No.-345 Year-2024 Thana- JOGAPATTI District- West Champaran

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Madan Singh S/o Late Raghunath Singh R/o Village- Ward No.9, Bhatahan
Tikuliya, P.S.- Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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

ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Yogapatti P.S. Case No. 345 of 2024 instituted for the offences
punishable under Sections 317(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 8.640
litres of foreign 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 is not the owner of the vehicle. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 09.11.2024 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 Yogapatti P.S. Case No. 345 of 2024.

(Rudra Prakash Mishra, J)

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