

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89844 of 2024

Arising Out of PS. Case No.-87 Year-2024 Thana- HATHUA District- Gopalganj

Abhishek Ram @ Abhishe Kumar Ram Son of Rajesh Ram Resident of
village- Bara Sikuara PS -Nautan District -Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 16-01-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. Learned counsel is permitted to make necessary
correction during course of the day.

3. The petitioner seeks bail in connection with
Hathua PS Case No. 87 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

4. The prosecution case, in short, is that total
251.400 litres of country made liquor was recovered from
two motorcycles.

5. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that local people disclosed the name of the petitioner. It is further submitted that motorcycle in question does not belong to the petitioner. The petitioner is in custody since 31.10.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hathua PS Case No. 87 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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