

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90099 of 2024

Arising Out of PS. Case No.-98 Year-2024 Thana- SAHARGHAT District- Madhubani

Rohit Kumar Son of Pramod Kumar Resident of Village - J. P. Chowk
Laxmisagar, Darbhanga, P.S.- University, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Adv.

For the Opposite Party/s : Mr.Narsingh Tanti, 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. The petitioner seeks bail in connection with

Saharghat P.S. Case No. 98 of 2024 (G.R. No. 1519 of

2024) instituted for the offences under Sections 274, 275,

317, 3(5) of the B.N.S. and Section 30(a) of the Bihar

Prohibition and Excise Act, 2018.

3. As per prosecution case, the police, has recovered

total 450 liters of illicit liquor from the *Hyundai i10* car

bearing Regd. No. BR01AK2122.

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. 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 car. The petitioner has also no concern with the seized liquor. 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 one criminal antecedent of similar nature of offence and is languishing in judicial custody since 29.10.2024 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, 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 Saharghat
P.S. Case No. 98 of 2024 (G.R. No. 1519 of 2024).

(Rudra Prakash Mishra, J)

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