

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4764 of 2024

Arising Out of PS. Case No.-2145 Year-2023 Thana- Excise P.S. District- East Champaran

Jageshwar Rai, Son of Late Lalbabu Rai, Resident of Village - Gyanbabu Chowk, Mescott Mohalla, P.S. - Town Motihari, District- East Champaran At Motihari

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 02-02-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Excise (Motihari) P.S. Case No. 2145 of 2023, instituted for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. The prosecution case, in short, is that, on secret information, the police carried out raid at the place of occurrence and recovered 1400 litres of illicit spirit kept in 28 gallons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner further submits that the petitioner is a daily wage labour engaged in the alleged transport company.



The petitioner had got no concern with the alleged recovery. The petitioner has no any criminal antecedent as has been stated in paragraph no. 3 of the present bail application. The petitioner is languishing in judicial custody since 04.11.2023.

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 taking into account 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Motihari) P.S. Case No. 2145 of 2023.

(Rudra Prakash Mishra, J)

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