

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9380 of 2024

Arising Out of PS. Case No.-34 Year-2023 Thana- Excise P.S. District- Khagaria

Dilkhush Kumar S/O- Devendra Yadav R/O- Village- Kamaruddinpur, Ward
No.- 05, P.S.- Singhaul, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

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

ORAL ORDER

2 19-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 34 of 2023 instituted for the offences under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. Prosecution story, in short, is that total 635.400
liters of Indian made foreign liquor was recovered from a
pickup van.

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 the driver of the vehicle but has no concern



with alleged recovery. Petitioner is not the owner of the vehicle. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.10.2023 and has no criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned A.P.P. 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, no criminal antecedent 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 Excise P.S. Case No. 34 of 2023.

(Rudra Prakash Mishra, J)

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