

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10726 of 2024

Arising Out of PS. Case No.-372 Year-2023 Thana- DESARI District- Vaishali

Karan Raj Son of Devendra Bhagat R/o vill - Kutubpur Dighra, P.S. -
Bidupur, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Akash Kumar Mishra, Advocate
For the State : Mr. Mritunjay Kumar Nirala, APP

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Desari
(Chandpura O.P.) P.S. Case No. 372 of 2023 instituted for the
offence under Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per prosecution case, there is recovery of total
101 liters of illicit foreign liquor from Bolero vehicle.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 04-11-2023. Petitioner
bears one criminal antecedent, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Petitioner has no concern with the alleged recovered liquor. Petitioner is the driver of the vehicle in question. Petitioner was oblivious of the fact that illicit liquor was laden on the vehicle. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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, period of custody of the petitioner and manner of implication, 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Desari (Chandpura O.P.) P.S. Case No. 372 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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