

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11344 of 2024

Arising Out of PS. Case No.-324 Year-2023 Thana- DANIYAWAN District- Patna

Rajan Kumar, S/o- Sunil Kumar, R/o- Village- Anirudh Beklsar (Bedaulia),
P.S.- Beldar O.P. Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Nityanand, 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 Daniyawan P.S. Case No 324 of 2023, instituted for the offences punishable under Sections 30(a), 32(ii), 32(iii), 36, 41(i), 41(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 443.25 liters liquor was recovered from two cars and petitioner along with other co-accused were apprehended on the spot.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The petitioner has got no concern with the alleged recovery of liquor. Petitioner is not the owner or driver of the car. The



petitioner has taken lift from the driver of that car. The petitioner is in custody since 07.12.2023 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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 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 Daniyawar P.S. Case No 324 of 2023.

(Rudra Prakash Mishra, J)

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