

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9968 of 2024

Arising Out of PS. Case No.-702 Year-2023 Thana- Excise P.S. District- Bhojpur

Vinod Rai son of Late Dinanath Rai Resident of village- jamira ward no 02
Ps- Ara Muffasil district- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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

ORAL ORDER

- 2 20-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Excise
Sadar P.S. Case No. 702 of 2023 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.
3. The prosecution case, in short, is that total 119.25
litres foreign liquor was recovered from Wagon-R car.
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. Petitioner is the owner and driver of
the vehicle from which the recovery has been made but has got



no concern with the alleged recovery of liquor. The petitioner is in custody since 17.12.2023 and has no criminal antecedent. There is no compliance of Section 100 of the 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, 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 Sadar P.S. Case No. 702 of 2023.

(Rudra Prakash Mishra, J)

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