

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11852 of 2024

Arising Out of PS. Case No.-178 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Rabindra S/O- Lae Hari Ram R/O- Village- Gorash Chauki Pharmana, P.S.-
Kharkhonda, Dist.- Sonipat (Haryana.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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

ORAL ORDER

2 23-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Charpokhari P.S. Case No. 178 of 2023 instituted for the
offences punishable under Sections 414, 419, 420, 467, 468,
471/34 of the Indian Penal Code and Sections 30(a), 32(a), 38,
41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 3243.6
litres of liquor was recovered from the truck.

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 not the owner of the vehicle in question. Petitioner is only the driver of the vehicle and has got no concern with the loaded liquor. Charge-sheet has been submitted in this case. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 06.09.2023 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, clean 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 Charpokhari P.S. Case No. 178 of 2023.

(Rudra Prakash Mishra, J)

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