

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9496 of 2024

Arising Out of PS. Case No.-2304 Year-2023 Thana- Excise P.S. District- East Champaran

ANISH SHRIVASTAWA S/o Mithlesh Prasad @ Mithleshwar Shrivastav
Resident of Village-Madhupur Tansaraiya, P.S.-Turkauliya, District-East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raki Alam, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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

ORAL ORDER

- 2 19-02-2024 1. 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. 2304 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 101.100
litres of *nepali* liquor was recovered from E-rickshaw.
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. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner is in custody since 12.12.2023 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 P.S. Case No. 2304 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

