

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11600 of 2024

Arising Out of PS. Case No.-381 Year-2023 Thana- CHENARI District- Rohtas

Jokhan Kumar S/O Singhasan Singh R/O Vill - Chakia, PS - Dehri (M), Dist.
- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with Chenari
P.S. Case No. 381 of 2023 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per prosecution case, the police has recovered
altogether 833.8 liters liquor from the Truck bearing
Registration No. JH05AK5909.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that nothing incriminating has
been recovered from the conscious possession of the petitioner.
The petitioner has no concern with the seized liquor or the



alleged vehicles. The petitioner is neither the driver nor the owner of the vehicle. The petitioner was just a co-passenger and a friend of the driver who was told by the driver of Scorpio car that they are going to Ranchi for some business purpose and will back after two days. The petitioner had also no idea about the illicit liquor trade and motive of the other persons and driver present in the Scorpio car. The petitioner has two criminal antecedents as has been stated in paragraph no.3 of the present bail application but, in both of them, he is on bail. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner is languishing in judicial custody since 18.11.2023.

5. Learned counsel for the petitioner again submits that the co-accused persons namely Ashok Kumar @ Gandhi and Arjun Kumar Sharma have been granted bail by this Court vide orders dated 13.02.2024 and 15.02.2024 passed in Cr. Misc. Nos. 6874 of 2024 and 7697 of 2024 respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Chenari P.S. Case No. 381 of 2023.

(Rudra Prakash Mishra, J)

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