

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9471 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Raj Kumar Son of Shyam Sah Resident of Village- Narullahpur Bangra, Ps-
Kanti (Op Panapur), Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Madan Kumar, 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. 10 of 2024 instituted for the offences punishable
under Sections 30(a), 32(3) of the Bihar Prohibition and Excise
Act.
3. The prosecution case, in short, is that total 270 litres
of illicit liquor was recovered from tempo vehicle.
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 the owner and driver of the said vehicle.



Learned counsel further submitted that petitioner had no knowledge that the loaded goods are liquor. Petitioner has no concern with the alleged recovery. The petitioner is in custody since 03.01.2024 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. 10 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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