

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11075 of 2024

Arising Out of PS. Case No.-676 Year-2023 Thana- Excise P.S. District- Buxar

Mohan Singh Rajput Son Of Bhawar Singh Resident of Mohalla- Naya Mura,
Ps- Gorunda, Dist- Udaypur (Rajsthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur, Adv.

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

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Excise (Buxar) P.S. Case No. 676 of 2023 instituted for the

offences under Section 30(a) of the Bihar Prohibition and

Excise Act, 2018.

3. As per prosecution case, the police has recovered

altogether 5328.360 liter illegal English wine from the truck

bearing Registration No. UP80GT-0614. The police has also

recovered Rs. 1600/- from the co-accused Mohan Singh (the

petitioner).



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 is the driver of the alleged truck. The petitioner was not aware of the contents of the material loaded in the truck. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. 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 30.09.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, 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 Excise
(Buxar) P.S. Case No. 676 of 2023.

(Rudra Prakash Mishra, J)

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