

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12019 of 2024

Arising Out of PS. Case No.-1046 Year-2023 Thana- Excise P.S. District- Bhagalpur

Raja Das Choupal Son Of Bindeshwar Das Choupal @ Bindeshwar Das
Resident Of Village- Belbhadrapur, Ps- Ujiarpur, Distt- Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ambrish Jha, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, 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 Excise
(Sadar) P.S. Case No.1046 of 2023.instituted for the offences
punishable under Sections 30(a) of Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that there is
recovery of 2393.640 liters of liquor from the truck.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in the
present case merely on the basis of suspicion. Learned counsel
for the petitioner next submit that petitioner had no knowledge
about the transportation of illicit liquor which is seized from
truck and has arrested from the spot. Learned counsel for the
petitioner further submits that petitioner is the driver of the truck



and the owner of the truck had handed over the truck to him.
Learned counsel next submit that the petitioner is in custody since 16.08.2023 and has no concern with the illicit liquor. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. Considering the entire facts and circumstance of the case and taking into account the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Excise (Sadar) P.S. Case No.1046 of 2023.

(Rudra Prakash Mishra, J)

Prakash Narayan

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