

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11774 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- Excise P.S. District- Munger

Pinkesh Kumar @ Pinkesh Singh Son of Mukesh Singh Resident of Village-
Nayagaon, Ward No. 01, Police Station- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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

ORAL ORDER

- 2 23-02-2024 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. 303 of 2023 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 108.308
litres of illicit liquor was recovered from Mahindra 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 neither the owner nor the driver of the vehicle.
The petitioner has got no concern with the alleged recovery of



liquor. The petitioner is in custody since 04.12.2023 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, clean 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. 303 of 2023.

(Rudra Prakash Mishra, J)

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