

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11758 of 2024

Arising Out of PS. Case No.-468 Year-2023 Thana- PHULWARIYA District- Gopalganj

Navin Kumar S/O Jit Narayan Singh R/O Village- Rasulpur, P.S.- Lalganj,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Renu Kumari, 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
Fulwariya P.S. Case No. 468 of 2023 instituted for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 310 litres
of illicit liquor was recovered from *Breeza* car.

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 not the owner of the vehicle. It is further



submitted that petitioner is only the driver of the vehicle in question and has no concern with the loaded articles/liquor. Charge-sheet has been submitted in this case. The petitioner is in custody since 25.12.2023 and has two criminal antecedents. 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 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 Fulwariya P.S. Case No. 468 of 2023.

(Rudra Prakash Mishra, J)

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