

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14431 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- AGAMKUAN District- Patna

Jitendra Kumar Son of Anil Prasad Resident of Village- Dayalpur, Police
Station- Hilsa, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Agamkuan P.S. Case
No. 62 of 2024, instituted for the offences punishable under
Section 414 of the Indian Penal Code and Sections 30(a), 32(ii),
32(iii), 36, 41(i) 41(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 197.94 liters
liquor was recovered from two cars out of which 181.44 liters
liquor was recovered from the car of the petitioner and he was
arrested on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. No
incriminating material has been recovered from the conscious



possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that petitioner is neither owner nor driver of the seized car. The petitioner was asked by his friend (co-accused) to drive the car and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 12.10.2023 and has got no criminal antecedent. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Agamkuan P.S. Case No. 62 of 2024.

(Rudra Prakash Mishra, J)

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