

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14682 of 2024

Arising Out of PS. Case No.-468 Year-2023 Thana- Excise P.S. District- Rohtas

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Arun Kumar @ Arun Mahto S/o Dilip Mehta @ Pradeep Kumar R/o Village-
Semara Tola, P.S.- Sasaram (M), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 1196 of 2023, arising out of Excise P.S. Case No. 468
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, 60 liters
liquor was recovered from river bank and the petitioner was
apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this 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. The place of occurrence is an open place which is accessible to everyone. The petitioner is in custody since 30.09.2023 and has got four criminal antecedents. 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 Excise Case No. 1196 of 2023, arising out of Excise P.S. Case No. 468 of 2023.

(Rudra Prakash Mishra, J)

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