

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14868 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- Excise P.S. District- Aurangabad

Vinay Kumar Son of Bhagwan Ram Resident of Village - Hasanpurva Arari
Tola, P.S. - Muffasil, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lovekush Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

- 2 04-03-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with
Daudnagar Excise P.S. Case No. 6 of 2024, G.R. No. 29 of 2024
instituted for the offences punishable under Sections 30(a),
32(3), 41(1) and 41(2) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 252.6
litres of liquor was recovered from Scorpio 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. Similary situated co-accused person has already been granted bail by this Court vide order dated 28.02.2024 passed in Cr. Misc. No. 13380 of 2024. The petitioner is in custody since 06.01.2024 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 Daudnagar Excise P.S. Case No. 6 of 2024, G.R. No. 29 of 2024.

(Rudra Prakash Mishra, J)

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