

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16459 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- MAIRWAN District- Siwan

Sudhir Kumar Son of Nandu Rai @ Bilas Ray R/o Village- Rustampur, P.S.-
Rustampur (O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Advocate
For the Opposite Party/s : Mr. Meena Singh, APP

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

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mairwan P.S. Case No.
09 of 2024, instituted for the offences punishable under Sections
30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 785.640
liters liquor was recovered from pick-up vehicle 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. 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 vehicle. The petitioner is in custody since 12.01.2024 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 Mairwan P.S. Case No. 09 of 2024.

(Rudra Prakash Mishra, J)

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