

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17229 of 2024

Arising Out of PS. Case No.-637 Year-2023 Thana- Excise P.S. District- Vaishali

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Ankaj Kumar son of Pawan Pandey Resident of village- Maiel PS- Bidupur
Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No. II, Advocate

For the Opposite Party/s : Mr.Pronoti Singh, APP

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

ORAL ORDER

- 3 20-03-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Hajipur
P.S. Case No. 637 of 2023 instituted for the offences punishable
under Sections 30(a), 32(3), 41(1), 41(2) of the Bihar
Prohibition and Excise Act.
3. The prosecution case, in short, is that total 200 litres
of illicit liquor was recovered from the Bolero.
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. Similarly situated co-accused person has already been granted bail by this Court vide order dated 15.02.2024 passed in Cr. Misc. No. 7931 of 2024. The petitioner is in custody since 20.12.2023 and has one 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 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 Hajipur P.S. Case No. 637 of 2023.

(Rudra Prakash Mishra, J)

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