

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21299 of 2024

Arising Out of PS. Case No.-447 Year-2023 Thana- MAHUA District- Vaishali

Vishal Kumar @ Vishal Son Of Krishan Resident Of Village- Tanda, Ps- Rai,
Dist- Sonipat , Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Mazharul Hassan, Advocate
For the State	:	Mr. Nityanand, APP

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

ORAL ORDER

2 18-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Mahuwa PS Case No. 447 of 2023 instituted for the offences under Sections 420, 414, 467, 468 & 34 of the Indian Penal Code and Section 30(a), 32(ii)(iii), 36, 41(i)(ii) of the Bihar Prohibition and Excise Act, 2018.

3. The prosecution case, in short, is that 1277.64 liters liquor was recovered from container.

4. Learned counsel for the petitioner submits that the petitioner is innocent and 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 petitioner is in custody since 15-07-2023 and has got one criminal antecedent. Petitioner has no knowledge regarding the goods loaded in the vehicle. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 Mahuwa PS Case No. 447 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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