

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23051 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- ARARIA District- Araria

Vikash Kumar S/O Ratan Mahto R/O Vilage- Patarghat, Ward No. 08, P.S- Patarghat Sour Bazar, Distt.- Saharsa.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner seeks bail in Araria (Bairgachhi) P.S. case No. 85 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 225 liters liquor was recovered from Scorpio vehicle. The petitioner was arrested at the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and 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 the petitioner is said to be driver of the said vehicle. He has no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 07.02.2024 and has got no criminal antecedent. 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 Araria (Bairgachhi) P.S. case No. 85 of 2024.

(Rudra Prakash Mishra, J)

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