

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21607 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- Excise P.S. District- Begusarai

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Raju Kumar Son of Ashok Mahto Residence of Village- Kerai Dih, Ward No.-
07, P.S.- Bibhutipur, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Rajeev Ranjan, Advocate
For the State : Mr. Arun Kumar, APP

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

ORAL ORDER

2 13-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 31 of 2024 instituted for the offence under
Sections 30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. Prosecution case in short is that there is recovery of
459 liters of illicit liquor from pick-up vehicle and the petitioner
was apprehended on spot.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 22-01-2024. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's
counsel that petitioner has been falsely 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 lastly submitted that there is no compliance of Section 100 of the Cr.P.C. Other co-accused has been granted bail by this Court, *vide* order dated 01-03-2024, passed in Cr. Misc. No. 14368 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Excise P.S. Case No. 31 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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