

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26679 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Excise P.S. District- Darbhanga

Shyamsunder Sahu @ Shyam Sundar Sah S/O Late Ramchandra Sahoo R/O
Village- Madhopur Ward No. 11, P.S- Simri, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. C. Jawahar, APP

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

ORAL ORDER

2 08-04-2024 Heard Mr. Vinay Kumar Mishra, learned counsel for
the petitioner and Mr. C. Jawahar, learned APP for the State.

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

3. The prosecution case, in short, is that, 168.480
liters liquor was recovered from tempo and the petitioner was
apprehended on 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 owner of the seized vehicle in question and he has no knowledge regarding the goods loaded in the vehicle by co-accused Bittu Kumar. The petitioner is in custody since 06.01.2024 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 Excise Prohibition Sadar (Excise Prohibition) P.S. Case No. 09 of 2024.

(Rudra Prakash Mishra, J)

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