

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25000 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- Excise P.S. District- Aurangabad

Anand Kumar S/O Nand Kishore Prasad R/O Village- Kurhma (Kurmha),
Bigha, P.S- Jamhore, Distt.- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Daudnagar Excise P.S. Case No. 29 of 2024 instituted for the
offences under Sections 30(a), 30(c) and 30(d) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police, on receipt of
secret information, raided at the hut and arrested the petitioner
along with another co-accused Shatrudhan Kumar. On search of
the hut, the police recovered altogether 217.540 liter country
made liquor along with plastic gallon, 25 liter spirit and empty
bottles as also punching machine.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 01.02.2024.

5. Learned counsel for the petitioner again submits that the co-accused Vivek Kumar and Santosh Kumar have been granted bail this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 15412 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent and claim based on parity, let the petitioner, abovenamed, 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 Daudnagar Excise



P.S. Case No. 29 of 2024.

(Rudra Prakash Mishra, J)

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