

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28738 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- Excise P.S. District- Sheikhpura

=====

Arun Kumar S/o- Sanjay Yadav Resident of Vill- Banaulia ward No 32 P.S.
Biharsharif, District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Advocate Mrs. Priyanka Kumari, Advocate Mrs. Kumari Rupa, Advocate
For the Opposite Party/s :		Mr. Ramchandra Sahni, APP

=====

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

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Sheikhpura Excise P.S.
Case No. 107 of 2024, instituted for the offences punishable
under Sections 30(a), 32, 41, 56(a) and 56(b) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 49.560 liters
liquor was recovered from three motorcycle 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 not the owner of the seized motorcycles in question, rather he was a passerby of that way. The petitioner is in custody since 07.03.2024 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 Sheikhpura Excise P.S. Case No. 107 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

