

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28099 of 2024

Arising Out of PS. Case No.-641 Year-2023 Thana- RAJAON District- Banka

Engine Mirdha Son Of Horo Mirdha @ Hiro Mirdha Resident Of Village -
Goradih, Police Station - Sarma, District - Deoghar (Jharkhand)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Arun Kumar

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

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Rajaon
P.S. Case No. 641 of 2023 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 288 liters
of illegal foreign liquor was recovered from a Scorpio Car.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is the driver of said recovered Scorpio vehicle
and he has no knowledge about the recovered illicit foreign



made liquor. The seized vehicle does not belong to the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 19.12.2023 and he has no criminal antecedent. There is no compliance of Section 100 of the 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajaon P.S. Case No. 641 of 2023.

(Rudra Prakash Mishra, J)

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