

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29069 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Vicky Kumar S/o Ram Bhajan Mahto R/o Mohalla - Gola Road Pankaj
Market Ward No. 19, P.S. - Town, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Ranjan
For the Opposite Party/s : Mr.Shailendra Kumar

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

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Muzaffarpur Town P.S. Case No. 97 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, there has been recovery of
total 290.67 liters of illegal foreign liquor from an Auto vehicle
and Scooty out of which 8.07 liters of liquor from the *Scooty* of
the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was apprehended on spot. Petitioner is the owner of



the seized *Scooty* but he has no concern with the seized Auto vehicle in question. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 12.02.2024 and has one criminal antecedent in which he is on bail. 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 Muzaffarpur Town P.S. Case No. 97 of 2024.

(Rudra Prakash Mishra, J)

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