

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30039 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- MANIYARI District- Muzaffarpur

Dashrath Kumar @ Dasarath Sah Son of Jaganath Sah Resident of Village-
Gopalpur Taraura, P.S- Mushahari, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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

ORAL ORDER

2 20-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Maniyari P.S. Case No.
70 of 2024, instituted for the offences punishable under Sections
420, 467, 468, 471, 120(B) of the Indian Penal Code, Sections
30(a), 32(1), 32(2), 36 and 41(1) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 6549.83
liters liquor was recovered from three vehicles, out of which 90
liters liquor has been recovered from the vehicle of the
petitioner. 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 driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 30.03.2024 and has got one criminal antecedent in which the petitioner is on bail. 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 Maniyari P.S. Case No. 70 of 2024.

(Rudra Prakash Mishra, J)

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