

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31091 of 2024

Arising Out of PS. Case No.-292 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Rakesh Kumar Son of Chandeshwar Das Resident of Village- Gangoliya ,
P.S- Saraiya, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

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

ORAL ORDER

- 224-04-2024
1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Excise P.S. Case No. 292 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 265.14 litres of liquor was recovered from the house of the petitioner.

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 rather the recovery has been made from the joint house of the petitioner where other family members of the petitioner also reside. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 16.02.2024 and has two 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 Excise P.S. Case No. 292 of 2024.

(Rudra Prakash Mishra, J)

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