

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33700 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- Excise P.S. District- Madhubani

Radheshyam Kamat @ Radhe Shyam Kamat S/O- Shankar Kamat R/O-
Village- Genaur Chabhacha Tol, Ward No. 09, P.S- Patauna O.P. Bisfi,
District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.O.
No. 658 of 2024, arising out of Excise P.S. Case No. 47 of 2024,
instituted for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 675 liters
liquor was recovered from two cars out of which 135 liters
liquor was recovered from the car 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 the owner of one of the seized car in question but has no knowledge regarding the goods loaded in the vehicle. 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 G.O. No. 658 of 2024, arising out of Excise P.S. Case No. 47 of 2024.

(Rudra Prakash Mishra, J)

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