

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33239 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- ADAPUR District- East Champaran

Rakesh Tiwari S/o Bhagirath Tiwari R/o vill - Purshottampur, P.S -
Majhauriya, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

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

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Adapur P.S. case No. 80
of 2024 instituted for the offences under Section 414 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 451.2 liters
liquor was recovered from Bolero Car.

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



submitted that the vehicle in question does not belong to the petitioner. The petitioner is said to be driver of the said vehicle. He has no knowledge regarding goods kept in the vehicle. The petitioner is in custody since 08.03.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C. Co-accused has been granted bail by this Bench vide order dated 18.04.2024 passed in Cr. Misc. No. 28321 of 2024.

5. Learned A.P.P. 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, the period of custody undergone by the petitioner and the claim based on parity, 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 Adapur P.S. case No. 80 of 2024.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

