

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34074 of 2024

Arising Out of PS. Case No.-348 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Devendra Bhagat @ Jhagru Son of Singeswar Bhagat Resident of Village-
Ramsahay Chhapra, P.S- Minapur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Bipin Chandra, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 348 of 2024 instituted for the offences under Sections
30(a) & 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that a total 1546.
920 liters liquor was recovered from a pick-up van bearing
Registration No. BR06G-9501 and the petitioner was caught on
the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to dirty politics and high handiness of the
police. Petitioner is neither owner of the said vehicle nor has he
any concern with the seized liquor. Charge-sheet has been



submitted in this 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. Co-accused Niwas Kumar and Vikash Kumar are already granted bail vide order dated 04.04.2024 passed in Cr. Misc. No. 25899 of 2024. The petitioner is in custody since 24.02.2024 and has got antecedent of one criminal case. There is no compliance of Section 100 of Cr.P.C.

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 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. 348 of 2024.

(Rudra Prakash Mishra, J)

Prakash/-

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