

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33035 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- DEV District- Aurangabad

Deepak Kumar S/O Ram Jatan Yadav R/O Village- Harihar Ganj Ararua
Khurd, P.S- Hariharganj, Distt.- Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with Deo PS Case No. 52 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 501.12 liters of foreign liquor was recovered from 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 petitioner is the not the owner of the vehicle, rather



petitioner is driving the vehicle and was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 04-03-2024 and has got no criminal antecedent. 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, clean antecedent of the petitioner 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 Deo PS Case No. 52 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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