

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33415 of 2024**

Arising Out of PS. Case No.-49 Year-2024 Thana- AMBA District- Aurangabad

Chandan Kumar Sharma Son of Bhagwan Sharma @ Bhagwan Mistri  
Resident of Village- Simarsot, P.S- Haidar Nagar , Dist- Palamu ( Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rahul Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ganesh Prasad Singh, 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 Amba P.S. Case No. 49  
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, 700 liters  
spirit was recovered from Bolero car and 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 spirit. It is further



submitted that the petitioner is driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 15.03.2024 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 Amba P.S. Case No. 49 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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