

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35525 of 2024

Arising Out of PS. Case No.-290 Year-2024 Thana- Excise P.S. District- Patna

Lal Babu Prasad Singh Son Of Late Ram Badan Singh Resident Of Village -
Nayanagar, P.S. - Hasanpur, District - Samastipur (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

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

ORAL ORDER

2 13-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Barh Excise P.S. Case
No. 290 of 2024, instituted for the offences punishable under
Sections 30(a) and 32(3) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 288 liters
liquor was recovered from 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 liquor. It is further submitted that the petitioner is co-passenger of the seized vehicle in question and has no knwoledge regarding the goods loaded in the vehicle. The petitioner is in custody since 23.03.2024 and has got one criminal antecedent in which the petitioner is on bail. 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 Barh Excise P.S. Case No. 290 of 2024.

(Rudra Prakash Mishra, J)

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