

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35527 of 2024

Arising Out of PS. Case No.-433 Year-2024 Thana- Excise P.S. District- Gaya

Amit Kumar Son of Bhagwati Chaudhary Resident of Village- Near Maszid
Kasmir Colony, Sector 9A, P.S- Harla, District- Bokaro (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Advocate
For the Opposite Party/s : Mrs. Pronoti Singh, 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 Gaya Excise P.S. Case
No. 433 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, 32.625 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. 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. 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 06.04.2024 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 Gaya Excise P.S. Case No. 433 of 2024.

(Rudra Prakash Mishra, J)

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