

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36034 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- Excise P.S. District- Buxar

Vikash Son Of Baljeet Singh Village- Anandpur Ps -Sadar Distt -Rohtak
Hariyana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

For the Opposite Party/s : Mr.Parmanand Prasad, APP

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

ORAL ORDER

2 10-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with Excise
(Dumraon) P.S. Case No. 32 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 total 336.960
litres of liquor was recovered from two cars.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the owner of the vehicle. It is further



submitted that petitioner is only the driver of the vehicle in question and has no concern with the loaded articles/liquor. The co-accused person has already been granted bail by a Coordinate Bench of this Court vide order dated 24.04.2024 passed in Cr. Misc. No. 31202 of 2024. The petitioner is in custody since 03.03.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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, claim based on parity 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 (Dumraon) P.S. Case No. 32 of 2024.

(Rudra Prakash Mishra, J)

Alok Verma/-

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