

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39144 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- Excise P.S. District- Madhubani

Krishna Kumar S/O Badri Kumar Kamat R/O Village- Kumarkhat, P.S-
Ladaniya, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
G.O. Case No.821/2024 arising out of Excise P.S. Case No. 88
of 2024, lodged on 22.03.2024 under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. As per the prosecution case, FIR has been lodged
against the present petitioner from whose possession, total 216
litres of illicit liquor has been recovered which is the subject
matter of the present case.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the alleged illicit liquor has been recovered
from the *dicky* of the car which is in no way connected with the



present petitioner. Counsel further submits that the petitioner is not the driver nor *khalasi* nor owner of the said vehicle. Counsel submits that the police has arrested the petitioner upon chase.

5. Learned counsel for the petitioner submits that the criminal antecedent of the petitioner is clean and he is in custody since 23.03.2024.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-II-cum-Special Judge, Excise, Madhubani in connection with G.O. Case No.821/2024 arising out of Excise P.S. Case No. 88 of 2024, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(Dr. Anshuman, J.)

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