

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38080 of 2024

Arising Out of PS. Case No.-79 Year-2024 Thana- Excise P.S. District- Supaul

Sanjay Kumar Son of Chandrashekhhar Mandal RESIDENT OF VILLAGE-
TULAPATTI WARD NO.- 08, P.S- PIPRA, DIST- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Goutam, Advocate
For the Opposite Party/s : Mrs.Pushpa Sinha, APP

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

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Misc. Case No. 1476 of
2024 arising out of Excise P.S. Supaul Case No. 79 of 2024
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 396 liters
liquor was recovered from the car. The petitioner was arrested
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 car in question does not belong to the petitioner and the same was parked in front of the house of the petitioner. 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 A.P.P. 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, clean antecedent 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 Misc. Case No. 1476 of 2024 arising out of Excise P.S. Supaul Case No. 79 of 2024.

(Rudra Prakash Mishra, J)

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