

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38913 of 2024

Arising Out of PS. Case No.-654 Year-2024 Thana- Excise P.S. District- Patna

Arjun Kumar Son of Gopal Sahani Resident of Village- Bhattacharya Road,
Bampar Tola, P.S- Gandhi Maidan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Excise P.S. Case No.
654 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, 104.37 liters
liquor was recovered from Patna Junction Railway Station near
Mahavir Mandir out of which 23.07 liters liquor was recovered
from the bag of the petitioner. 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 seized bag does not belong to the petitioner. The petitioner is in custody since 23.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C. Other co-accused have been granted bail by this Court vide orders dated 14-05-2024 & 16-05-2024, passed in Cr. Misc. No. 36685 of 2024 & Cr. Misc. No. 37557 of 2024.

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 Excise P.S. Case No. 654 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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