

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43008 of 2024

Arising Out of PS. Case No.-22 Year-2024 Thana- Excise P.S. District- Saran

Niraj Kumar Chaudhary S/O Shankar Chaudhary R/O Village Kauru-dhaura,
P.S. Manjhi, Distt-Saran(Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mashrakh Excise P.S.
case No. 22 of 2024 instituted for the offences under Sections
30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 54 liters liquor
was recovered from the car and the petitioner was arrested on
the 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. The petitioner has no knowledge regarding the nature of goods booked by the transporter as he is said to be driver of the car. The petitioner is in custody since 14.03.2024 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 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 Mashraikh Excise P.S. case No. 22 of 2024.

(Rudra Prakash Mishra, J)

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