

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42583 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- Excise P.S. District- Aurangabad

Vikash Kumar S/O Umesh Paswan R/O village anchha ward no 02(but in FIR written as ward no.01), P.S. Daudnagar, Distt-Aurangabad,Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Daudnagar Excise P.S.
Case No. 188 of 2024, instituted for the offences punishable
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 50 liters
liquor was recovered from the house of the petitioner and 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 alleged recovery has been made from outside the house of the petitioner which is an open place and accessible to public at large. The petitioner is in custody since 09.05.2024 and has got one criminal antecedent. There is no compliance of Section 100 of 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 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 Daudnagar Excise P.S. Case No. 188 of 2024.

(Rudra Prakash Mishra, J)

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