

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47999 of 2024

Arising Out of PS. Case No.-1226 Year-2024 Thana- Excise P.S. District- Patna

Badal Kumar son of Rajan Prasad Village- Ghagha Gali W.No-65, Ps-
Khajekala Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Raj, Adv

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise Patna P.S. Case No. 1226 of 2024 dated 21.03.2024 registered for the offences punishable u/s 30(a) and 56B of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 160 litres of illicit country made liquor was recovered from the *scooty and bank of river*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle and



the same was not being driven by him at the time of the alleged recovery. The recovery has been made from an open place which is accessible to anyone. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. As per impugned order dated 10.06.2024 the petitioner is in custody since 22.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Excise Patna P.S. Case No. 1226 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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