

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48519 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

MANISH KUMAR SON OF RAJENDRA PANDIT RESIDENT OF
VILLAGE - GANDHI BIHAR SHREE RAM BASTI NEAR C.N.G. PUMP,
P.S. - TIMARPUR (DELHI)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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

ORAL ORDER

- 210-07-20241. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in connection with Kuchaikot P.S. Case No. 210 of 2024 instituted for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act.
3. The prosecution case, in short, is that total 495 litres of foreign liquor was recovered from pickup van.
4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicle. It is further



submitted that petitioner is only the driver of the vehicle in question and was unaware of the fact that illicit liquor was loaded in the vehicle. Charge-sheet has been submitted in this case. The petitioner is in custody since 15.05.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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, 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 Kuchaikot P.S. Case No. 210 of 2024.

(Rudra Prakash Mishra, J)

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