

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51357 of 2024

Arising Out of PS. Case No.-881 Year-2024 Thana- Excise P.S. District- Patna

Tribhuwan Kumar S/o Ganesh Ray R/O VILL-SABALPUR, POLICE
STATION-SONPUR,, DISTT - SARAN (CHHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv

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

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

ORAL ORDER

2 12-08-2024 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 (Prohibition) P.S. Case No. 881 of 2024 dated 18.04.2024 registered for the offences punishable u/s 30(a) and 56(b) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 90 litres of illicit country made liquor was recovered *from the dickey of the Car*.

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 but the same was being driven by him at the time of the alleged



recovery. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 31.07.2024 passed in Cr. Misc. No. 54926 of 2024. 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. The petitioner is in custody since 19.04.2024.

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 (Prohibition) P.S. Case No. 881 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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