

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49228 of 2024

Arising Out of PS. Case No.-217 Year-2024 Thana- Excise P.S. District- Buxar

Niranjan Kumar, aged about 24 years, Male, Son of Raja Ram Paswan, R/O
Vill.- Chinduara, Asta, P.S.- Tharthari, District - Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajiv Ranjan Kumar Pandey, Advocate
For the Opposite Party : Mr. Uma Shankar Prasad Singh, A.P.P.

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

ORAL ORDER

3 20-08-2024 This matter has been listed under the heading ‘For
Orders (on office notes)’.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks bail in connection with Excise
(Buxar) P.S. Case No. 217 of 2024 dated 08.06.2024 registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2018.

4. As per the prosecution case, total 432 litres illicit
foreign liquor was recovered from the Scorpio vehicle which
was driven by the petitioner.

5. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. There is general and omnibus allegation against the petitioner. The Scorpio vehicle does not belong to the petitioner. The petitioner is only the driver of the vehicle in question. He had no knowledge regarding the illicit liquor kept in the said vehicle. There is no compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 08.06.2024.

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

7. Considering the aforesaid facts and circumstances of the case as well as 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 Additional Sessions Judge-II-cum-Exclusive Excise Special Judge, Buxar in connection with Excise (Buxar) P.S. Case No. 217 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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