

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52593 of 2024

Arising Out of PS. Case No.-938 Year-2024 Thana- Excise P.S. District- East Champaran

Mahabir Kumar Son of Shambhu Sah Resident of village - Bisraiya, P.S.-
Dhaka, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rashmi Jha, Adv
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 23-07-2024 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 P.S. Case No. 938 of 2024 dated 07.06.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 72 litres of illicit Nepali liquor was recovered from the *Motorcycle*.

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. The petitioner has no concern with the alleged recovery. The name of the petitioner has transpired merely on the basis of suspicion.



Nothing has been recovered from the conscious possession of the petitioner. The petitioner has three antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.06.2024.

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, East Champaran, in connection with Excise P.S. Case No. 938 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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