

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53701 of 2024

Arising Out of PS. Case No.-576 Year-2024 Thana- Excise P.S. District- Aurangabad

Kundan Kumar S/O Jathuri Chaudhari @ Dhaturi Chaudhari R/O Shahpur
Pokhara, Ward No. 25, P.S- Aurangabad (Town), Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 576 of 2024 instituted for the offences under
Sections 30(a), 32(3), 41(1) & 41(2) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that 216 liters
liquor was recovered from motorcycle and from bush.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that motorcycle in question is registered in the name of his mother. The petitioner is in custody since 14-06-2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 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 Excise PS Case No. 576 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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