

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55545 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- Excise P.S. District- Buxar

Md. Rashid Son of Md. Safik Alam Resident of village - Manorwasharif,
Police Station - Bithan, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shreekant Pandey, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

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

ORAL ORDER

3 22-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Excise (Buxar) P.S.
Case No. 130 of 2024, instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 621 liters
liquor was recovered from Bolero pick-up van and the petitioner
was apprehended on the spot.

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 further



submitted that the petitioner is driver of the vehicle in question and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 29.03.2024 and has got no criminal antecedent. There is no compliance of Section 100 of 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise (Buxar) P.S. Case No. 130 of 2024.

(Rudra Prakash Mishra, J)

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