

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58981 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- BUXAR INDUSTRIAL District- Buxar

Bhola Kumar (Male), aged about 18 years, son of Late Suraj Paswan, R/o
Bhootnath Road, P.S.- Agamkuan, Dist -Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Radha Mohan Singh, Advocate

For the Opposite Party : Mr. Khurshid Anwar, A.P.P.

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

ORAL ORDER

2 31-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Buxar Industrial P.S. Case No. 132 of 2024 dated 21.06.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 513.5 litres of illicit foreign liquor was recovered from the Scorpio car, 84 litres of beer was recovered from the Indigo car and total 351.9 litres of illicit foreign liquor was recovered from the Honda City car.

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



this case. It is submitted that 513.5 litres of foreign liquor was recovered from the *Scorpio car* bearing Registration No. BR01PH 4831 on which the petitioner and the driver the co-accused Raju Kumar were sitting. The said driver Raju Kumar fled away from the place of occurrence but the petitioner was arrested by police while he was sitting in the said vehicle. It is further submitted that the alleged 513.5 litres of foreign liquor and the Scorpio vehicle does not belong to the petitioner. The petitioner is neither the owner nor the driver of the vehicle in question rather he sat in the said vehicle to come to his residence because both the driver and the petitioner are the residents of Patna. He had no knowledge regarding the alleged liquor kept in the vehicle in question. The petitioner has no concern with the alleged offence. The other co-accused persons Ramashankar Singh and Harendra Kumar Singh @ Harendra Singh @ Munna Singh have already been granted bail by a Bench of this Court vide Cr. Misc. No. 53889 of 2024 under order dated 29.07.2024 and Cr. Misc. No. 53966 of 2024 under order dated 31.07.2024, annexed as Annexure-2 series to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 22.06.2024.



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 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 Special Excise Court No.-Ist, Buxar in connection with Buxar Industrial P.S. Case No. 132 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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