

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60534 of 2024**

Arising Out of PS. Case No.-232 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Hari Prasad @ Harishankar Kushvaha S/o Rajdev Prasad Resident of Village-
Chaintola, PS- kateya, Distt. - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurabh Kumar, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

2 21-08-2024 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 Kuchaikote P.S. Case No. 232 of 2024 dated 29.05.2024 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 27.645 litres of illicit foreign liquor was recovered from the seat tied on the motorcycle.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The recovery has been made from a motorcycle which is accessible to anyone. The petitioner is not the owner of the seized motorcycle from which the liquor is shown to be recovered. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has 6 antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.05.2024.

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/ADJ-IV-cum-Special Judge Excise-II, Gopalganj in connection with Kuchaikote P.S. Case No. 232 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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