

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63798 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- DAUDPUR District- Saran

Hakim kumar S/O Dashrath ray R/O Vill Rauza @ rauja P.S. Chapra Town,
District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner seeks bail in
connection with Daudpur P.S. Case No. 177 of
2024 registered for the offence under Section
30(a) of the Bihar Prohibition and Excise Act.

3. The petitioner is named in the F.I.R.
and is in custody since 03.08.2024.

4. The allegation against the petitioner
is to be engaged in illegal
trading/manufacturing of illicit liquor, where,
there is recovery of 954 litres of English wine.

5. Learned counsel for the petitioner
submitted that petitioner falsely implicated in



present case being the driver of the truck alleged to be carrying consignment of illicit liquor. It is submitted that nothing surfaced during course of investigation which may suggest *prima-facie* that the petitioner being the driver was under knowledge for carrying consignment of illicit liquor, therefore it can be said safely that the alleged recovery of illicit liquor was not made from conscious physical possession of the petitioner. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP, opposes the prayer of bail.

7. In view of aforesaid facts and circumstances as recovery of illicit liquor appears *prima-facie* doubtful from the conscious physical possession of the petitioner, accordingly, petitioner above named, is directed to be released on bail in connection with Daudpur P.S. Case No. 177 of 2024 on



furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Ist Exclusive Special Excise Court, Saran at Chapra /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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