

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66387 of 2024

Arising Out of PS. Case No.-172 Year-2024 Thana- MOHAMMADPUR District- Gopalganj

Gaurav Kumar @ Gauraw Kumar Son of Nawal Kishor Chaudhary Resident of Village - Birpur, P.S.- Kanti, District - Muzaffarpur, At Present Residing at Kishunagar, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 21-09-2024 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 Mohammadpur P.S. Case No. 172 of 2024 dated 20.07.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 220.26 litres of illicit foreign liquor was recovered from the Bolero vehicle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of the seized vehicle. The petitioner has no concern with the alleged recovery. Nothing has been recovered from the



conscious possession of the petitioner. The petitioner has six criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 21.07.2024. The co-accused has been granted regular bail by this Court vide order dated 04.09.2024 passed in Cr. Misc. No. 63571 of 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 Court concerned, Gopalganj in connection with Mohammadpur P.S. Case No. 172 of 2024, with the condition:-

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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