

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71623 of 2024

Arising Out of PS. Case No.-121 Year-2024 Thana- Excise P.S. District- Gaya

Kishan Kumar Son of Kamlesh Yadav Resident of village -Saloni Bigha, PS
-Konch, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogesh Kumar, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

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

ORAL ORDER

2 01-10-2024 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 Excise (Sherghati) P.S. Case No. 121 of 2024 dated 04.08.2024 registered for the offences punishable u/ss 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 60 litres of illicit country made liquor was recovered from the motorcycle which was being driven by the petitioner and 10 litres illicit country made liquor was also recovered from the another motorcycle.

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



this case. The petitioner is not the owner of the said vehicle and he has no concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.08.2024.

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, Gaya in connection with Excise (Sherghati) P.S. Case No. 121 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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