

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70975 of 2024

Arising Out of PS. Case No.-889 Year-2024 Thana- Excise P.S. District- Gaya

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Dinesh Kumar Son of Late Babulal Prasad Resident of Village - Nisurpur @
Nasirpur, P.S. - Konch, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise P.S. case No.
889 of 2024 instituted for the offences under Sections 30(a) and
32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 45.750 liters
liquor was recovered from the Scorpio vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner
has got no concern with the alleged recovery of liquor. The
name of the petitioner has transpired as being owner of the



vehicle in question. The petitioner has no knowledge regarding nature of goods kept in the vehicle. The petitioner is in custody since 02.09.2024 and has got one criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise P.S. case No. 889 of 2024.

(Rudra Prakash Mishra, J)

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