

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74982 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise P.S. District- Vaishali

Shiv Kumar Singh S/o- Sri Dinanath Singh Village- Sahdullapur, ward no 12,
PS- Gangabridge, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 21-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur
Excise P.S. Case No. 245 of 2024 instituted for the offences
under Section 30(a) of the Excise Act.

3. As per prosecution case, the police has recovered
total 143.04 illicit liquor of different brands from the bushes
surrounding the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that the seized liquor has been recovered
from the bushes surrounding the house of the petitioner which is
very much open place and the petitioner has no concern with the
alleged place. Nothing incriminating has been recovered from



the conscious possession of the petitioner. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 04.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Hajipur Excise P.S. Case No. 245 of 2024.

(Rudra Prakash Mishra, J)

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