

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74722 of 2024**

Arising Out of PS. Case No.-793 Year-2024 Thana- Excise P.S. District- Sitamarhi

Vimal Kumar Son of Yogendra Mahto Resident of Village-Inarwa Ward No. 15, PS- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Birendra Kumar, Advocate  
For the Opposite Party/s : Ms. Meena Singh, 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 Sitamarhi Excise P.S. Case No. 793 of 2024, instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 540 liters liquor was recovered from Scorpio car and the petitioner was apprehended on spot.

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. It is further submitted that the petitioner is driver of the vehicle in question and he has got no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 01.09.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sitamarhi Excise P.S. Case No. 793 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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