

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75963 of 2024

Arising Out of PS. Case No.-546 Year-2024 Thana- Excise P.S. District- Nawada

Vishal Kumar Son of Arvind Choudhary R/O Vil.- Shamabad Amba, P.S.-
Rahui, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

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

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

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 546 of 2024 instituted for the offences under
Sections 30(a), 45 & 47 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 141.750 liters
liquor was recovered from the car.

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. Petitioner is
neither the owner nor the drive of the car. The petitioner is in



custody since 06-08-2024 and has got no 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, clean antecedent of the petitioner 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 PS Case No.
546 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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