

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74291 of 2024**

Arising Out of PS. Case No.-270 Year-2024 Thana- Excise P.S. District- Buxar

=====

Jitendra, aged about 32 years old (Male), S/o Ramashray, Resident of Mohalla, Qr no 52, Sharma Colony, Phase No 2, Budh Bihar, P.S. - Rohini Section - 5, Distt. - Kanjhawala North, West Delhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

=====

**Appearance :**

For the Petitioner : Mr. Arun Kumar Gupta, Advocate  
For the Opposite Party : Mr. Suresh Prasad Singh, A.P.P.

=====

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

ORAL ORDER

2      08-10-2024                      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Excise (Buxar) P.S. Case No. 270 of 2024 dated 22.08.2024 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 3105 litres of foreign liquor was recovered from the *Truck*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner is the driver of the said Truck. He is not the owner of the seized Truck. He had no knowledge regarding the liquor loaded by the transporter on



the said Truck. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. No incriminating article has been recovered from his conscious possession. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 23.08.2024.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned Exclusive Excise Special Judge Court No. 2, Buxar, in connection with Excise (Buxar) P.S. Case No. 270 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

