

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74097 of 2024

Arising Out of PS. Case No.-218 Year-2024 Thana- BARAULI District- Gopalganj

Gagandeep Kumar, Male, aged about 21 years, S/o- Nandlal Prasad, R/O
Village- Chudiya, P.S. Lar, District- Devariya, U.P.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party : Mr. Sanjay Kumar Pandey, 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 Barauli
P.S. Case No. 218 of 2024 dated 18.08.2024 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 233.28 litres of
foreign liquor was recovered from the dicky of the *Scorpio*
vehicle.

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 driver of the
said Truck. He is not the owner of the said vehicle. He had no



knowledge regarding the liquor kept on the said vehicle. There is no statutory compliance of Section 100 of the Cr.P.C. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 18.08.2024.

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 Additional District and Sessions Judge-XIII-cum-Special Excise Court No.-I, Gopalganj, in connection with Barauli P.S. Case No. 218 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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