

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75328 of 2024

Arising Out of PS. Case No.-787 Year-2024 Thana- Excise P.S. District- Aurangabad

Aditya Kumar Son of Manoj Singh Resident of Village- Boknari, P.S.
-Paraiya, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. Learned counsel for the petitioner is permitted to
make necessary correction in provision portion of the bail
application during course of the day.

3. The petitioner seeks bail in connection with Excise
PS Case No. 787 of 2024 instituted for the offences under
Sections 30(a), 32 (3) of the Bihar Prohibition and Excise Act
2018.

4. As per the prosecution case, the police has
recovered total 181.440 literes of illicit country made liquor
from the dickey of Hyundai Car.

5. 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. The petitioner is alleged to be the driver of the vehicle in question. The petitioner is in custody since 14.08.2024 and having no criminal antecedent. There is no compliance of Section 103 of BNSS, 2023. The other co-accused has been granted bail by this Court vide orders dated 05.10.2024 and 05.10.2024 passed in Cr. Misc. No. 70969 of 2024 and 71219 of 2024, respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. 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.

8. 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 learned Special Judge Excise-II, Aurangabad Bihar in connection with Excise PS Case No. 787 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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