

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76167 of 2024

Arising Out of PS. Case No.-944 Year-2024 Thana- Excise P.S. District- Gaya

Vikash Kumar Son of Late Raghunandan Prasad Resident of Village-
Pravalpur, Gandhi Nagar, PS -Pravalpur District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In this present case, the petitioner seeks bail in connection with Excise P.S. Case No. 944 of 2024, registered for the offences under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per prosecution case, during checking of vehicle, a car was intercepted and the driver tried to flee away who was apprehended. From the search of the car, recovery of 170.250 litres of foreign liquor was made. Petitioner is the apprehended driver.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is a daily wager driver



and he has been handed over the car by the owner of the car who kept the contraband in the car and the petitioner was having no knowledge. Nothing incriminating has been recovered from the possession of this petitioner. The petitioner has got no criminal antecedent. The petitioner is in custody since 14.09.2024.

5. Learned A.P.P. for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is stated to be the driver and also considering the clean antecedent of the petitioner as well as his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Court No.-3, Gaya/concerned court in connection with Excise P.S. Case No. 944 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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