

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75762 of 2024

Arising Out of PS. Case No.-264 Year-2024 Thana- BIHIA District- Bhojpur

Bir Kumar Son of Sriram Prasad Yadav Resident of village - Saidpur, P.S.-
Salempur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Bihiya P.S. Case No. 264 of 2024, registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, recovery of 927.360 litre of India made foreign liquor was made from the pickup vehicle of the petitioner and the petitioner and his driver were apprehended from the said vehicle.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Though the petitioner is the owner of the vehicle but he was not having any knowledge



about the loading of illicit liquor. The petitioner has no concern with the alleged seized liquor. The petitioner is having clean antecedent and is in custody since 24.08.2024 and charge sheet has been submitted against the petitioner.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that petitioner was caught red handed with the illicit liquor which he was transporting on his vehicle.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and submission of charge sheet against the petitioner and the period of custody of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-1, Bhojpur, Ara/concerned court, in connection with Bihiya P.S. Case No. 264 of 2024, subject to the condition laid down under 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 below, if so required by the learned trial court.

(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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