

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76352 of 2024**

Arising Out of PS. Case No.-255 Year-2024 Thana- UJIYARPUR District- Samastipur

Pintu Kumar Son of Devanand Singh Village- Gawopur PS -Ujiyarpur Distt
-Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.
For the Opposite Party/s : Mr.Lalan Kumar, APP

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

ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Ujiyarpur P.S. Case No. 255 of 2024 instituted for the

offences under Sections 30(a), 41(1), 41(2) of the Bihar

Prohibition and Excise Act, 2022.

3. As per prosecution case, the police has recovered

total 485.865 litres illicit foreign liquor from the Scorpio

vehicle bearing Regd. No. BR-01-PM-3243.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence as

alleged against him and has falsely been implicated in the



present case merely on the basis of suspicion. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the vehicle, in question. The petitioner has also no concern with the seized liquor. The petitioner is the driver of the alleged vehicle and was not aware of the contents of the material loaded in the same. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 18.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Ujiyarpur
P.S. Case No. 255 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

