

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78754 of 2024

Arising Out of PS. Case No.-269 Year-2024 Thana- DURGAWATI District- Kaimur (Bhabua)

Manish Kumar Son of Umesh Rai Resident of Village - Biddipur, P.S. -
Shalimlpur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dilip Kumar, Advocate
		Mr. Sarfraz Ahmad, Advocate
For the Opposite Party/s	:	Mr. Khurshid Anwar, APP

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

ORAL ORDER

2 11-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Durgawati PS Case No. 269 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 345.60
litres of liquor was recovered from the car.

4. 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 driver of the vehicle in question and he was
oblivious of the illicit liquor laden in the vehicle. The petitioner



is in custody since 07.09.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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

6. 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.

7. 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 Court below/concerned Court in connection with Durgawati P.S. Case No. 269 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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