

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76447 of 2024

Arising Out of PS. Case No.-888 Year-2024 Thana- Excise P.S. District- Aurangabad

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Dhananjay Bhagat S/O Late Bijay Bhagat @ Late Vijay Bhagat R/O Muhalla-
Shahpur, Janta Akhara wArd No. 14, P.S- Aurangabad Town, Distt.-
Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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**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 G.R. No. 1551 of 2024,
arising out of Excise P.S. Case No. 888 of 2024, instituted for
the offences punishable under Sections 30(a) and 32(3) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 178.200
liters liquor was recovered from Santro car and the petitioner
was arrested on spot.

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. Learned counsel for the petitioner further submits that the petitioner is neither driver nor owner of the car in question. The petitioner is co-driver of the car. The petitioner is in custody since 08.09.2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned APP 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with G.R. No. 1551 of 2024, arising out of Excise P.S. Case No. 888 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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