

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77704 of 2024

Arising Out of PS. Case No.-781 Year-2024 Thana- Excise P.S. District- Lakhisarai

Nandu Kumar Son of Patali Ram Resident of Village - Ramchandrapur, Ward
No. 13, P.S. - Pipariya, District - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

ORAL ORDER

2 29-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 781 C2 of 2024 instituted for the offences under
Sections 30(a) & 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 288 liters of
foreign liquor was recovered from pickup van.

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. Petitioner is the
driver of the vehicle in question. He was oblivious of the fact



that illicit liquor was laden in the vehicle. The petitioner is in custody since 05-09-2024 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 Excise PS Case No. 781 C2 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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