

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77280 of 2024

Arising Out of PS. Case No.-620 Year-2024 Thana- MANER District- Patna

Rohit Kumar Son of Biteshwar Rai Resident of Village- Gola Road, Police
Colony, Police Station- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP

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

ORAL ORDER

2 28-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with

Special Excise Case No. 3151 of 2024 arising out of Maner

P.S. Case No. 620 of 2024 instituted for the offences under

30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered

altogether 769.44 liters of illicit India-made foreign from the

two vehicles i.e. car and tempo as well as from the go-down

of Ram Pravesh Rai.

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. The petitioner is not the owner nor driver of any seized vehicle as also he has no connection with the businessman or illegal liquor. The petitioner has been implicated in this case on the basis of the disclosures made by the apprehended co-accused Manish Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.09.2024 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 and the petitioner having no criminal antecedent,



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 Special
Excise Case No. 3151 of 2024 arising out of Maner P.S.
Case No. 620 of 2024.

(Rudra Prakash Mishra, J)

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