

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78842 of 2024

Arising Out of PS. Case No.-411 Year-2024 Thana- ARA NAGAR District- Bhojpur

Raj Kumar S/o- Santosh Saw Mohalla- Bindtoli, P.S- Arrah (Town), District- Bhojpur (Arrah)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar Verma, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

2 11-11-2024 Heard Mr. Chandan Kumar Verma, learned counsel
for the petitioner and Mr. Choubey Jawahar, learned APP for the
State.

2. The petitioner seeks bail in Arrah (Town) P.S. Case
No. 411 of 2024, instituted for the offences punishable under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 200 liters
liquor was recovered from tempo and the petitioner was
apprehended 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 has further submitted that the petitioner is not the owner of the tempo in question, rather he was driver of the said vehicle and has no knowledge regarding the goods being loaded in the vehicle. The petitioner is in custody since 05.07.2024 and has got no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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 Arrah (Town) P.S. Case No. 411 of 2024.

(Rudra Prakash Mishra, J)

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