

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79294 of 2024

Arising Out of PS. Case No.-399 Year-2024 Thana- BABUBARHI District- Madhubani

Vikki Kumar Karak Dhruvnarayan Karak @ Dhuv Narayan Karak R/O
Village - Chanauraganj, P.S.- Jhanjharpur, District -Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar, APP

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

ORAL ORDER

2 13-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Babubarhi P.S. Case No. 399 of 2024 instituted for the offences under Sections 338, 336(3), 3(5), of B.N.S as well as 30(a), 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 560.64 litres of nepali 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. It is submitted that petitioner is the driver of the vehicle. The petitioner has no knowledge regarding the goods laden in the vehicle in question.



The petitioner is in custody since 09.09.2024 and has got two criminal antecedents in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Babubarhi P.S. Case No. 399 of 2024., subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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