

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79373 of 2024

Arising Out of PS. Case No.-315 Year-2024 Thana- KATEYA District- Gopalganj

Shekhar Kumar Mishra @ Shekhar Kumar Son of Budhnath Mishara
Resident of Village - Pipra Bazar, P.S. - Pipra Bazar, District - Supaul (Bihar)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, 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 Kateya
P.S. Case No. 315 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 169.500 liters
of country made liquor was recovered from Hyundai 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 Car. The petitioner has no
knowledge regarding the goods laden in the vehicle. The



petitioner is in custody since 17.08.2024 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kateya P.S. Case No. 315 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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