

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80418 of 2024

Arising Out of PS. Case No.-943 Year-2024 Thana- Excise P.S. District- Aurangabad

Shushil Kumar S/o- Late Ramesh Singh Village-Pethari/Petari, P.S-Jamhor,
District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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

ORAL ORDER

2 18-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
G.R.No. 1641 of 2024 arising out of Excise PS Case No. 943 of
2024 instituted for the offences under Sections 30(a), 30(c),
30(d), 36, 41(1) and 41(2) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 266
litres of country made liquor was recovered from open place.

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 recovery is from an open place, which is accessible to one and all. The petitioner is in custody since 21.09.2024 and has got no criminal antecedent. 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, 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 G.R. No. 1641 of 2024 arising out of Excise PS Case No. 943 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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