

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81364 of 2024

Arising Out of PS. Case No.-961 Year-2024 Thana- Excise P.S. District- Aurangabad

Chhotu Kumar S/o Munna Bhuiya Resident of Gandhi maidan bus Dipo, PS-
Nagar, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor

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

ORAL ORDER

2 21-11-2024 Heard Mr. Pramendra Kumar Singh, learned counsel
for the petitioner and Ms. Renu Kumari, learned APP for the
State.

2. The petitioner seeks bail in connection with Excise
Sadar Aurangabad PS Case No. 961 of 2024 instituted for the
offences under Sections 30(a), 30(c), 30(d), 32(3), 36, 41(1) and
41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 108
litres of country made liquor, 75 litres of spirit, 500 empty bottle
was recovered from campus of Shamshan Ghat.

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 24.09.2024 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 Excise Sadar Aurangabad PS Case No. 961 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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