

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81307 of 2024

Arising Out of PS. Case No.-814 Year-2024 Thana- Excise P.S. District- Patna

Shankar Kumar @ Shankar Kumar Prasad @ Shankar Prasad S/o Brajnand Prasad @ Brajnandan Prasad Resident of Village - Umairabad, PS- Arwal, Distt.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Kumar, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-11-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Special Excise Case No. 2912 of 2024 arising out of Excise Paliganj P.S. Case No. 814 of 2024 instituted for the offences under Sections 30(a) and 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 20 litres of country made liquor was recovered from the motorcycle.

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 motorcycle in question does not belong to the petitioner. The petitioner is in custody since 24.08.2024 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 Special Excise Case No. 2912 of 2024 arising out of Excise Paliganj P.S. Case No. 814 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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