

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81755 of 2024

Arising Out of PS. Case No.-1046 Year-2024 Thana- Excise P.S. District- Gaya

Rajesh Sahani Son of Rajendra Sahani Resident of village- Ramdas
Manjhauli, P.S.- Bochaha, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Singh, Advocate

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

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise Police Station
case No. 1046 of 2024 instituted for the offences under
Sections 30(a) and 32(c) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 491.4 liters
liquor was recovered from Bolero pick-up van.

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



further submitted that the petitioner is driver of the van in question. He has no knowledge regarding nature of goods laden in the vehicle. The petitioner is in custody since 07.10.2024 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 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Police Station case No. 1046 of 2024.

(Rudra Prakash Mishra, J)

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