

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82376 of 2024

Arising Out of PS. Case No.-393 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Sanjay Pandey Son of Ramji Pandey Resident of Gorariya Mathiya Mafi,
P.S.- Bishunpura, Distt.- Kushinagar (U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj, Advocate
For the Opposite Party/s : Mr.Shantanu Kumar, APP

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

ORAL ORDER

2 03-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Kuchaikote P.S. case
No. 393 of 2024 instituted for the offences under Section
317(5) of B.N.S., 2023 and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 786.24 liters
liquor was recovered from 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 co-driver of the vehicle in question and he had no knowledge regarding nature of goods laden in the vehicle. The petitioner is in custody since 16.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 2023.

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 Kuchaikote P.S. case No. 393 of 2024.

(Rudra Prakash Mishra, J)

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