

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86574 of 2024

Arising Out of PS. Case No.-379 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Priyanshu Rai Son of Avnindra Rai @ Avanind Rai R/O Vill.- Rampurmadho,
P.S.- Kuchaikote, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar, Adv.

For the Opposite Party/s : Mr.Murli Dhar, APP

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

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kochaikote P.S. Case No. 379 of 2024 instituted for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.

3. As per prosecution case, the police have
recovered total 62.400 liter of illicit country-made liquor from
a bag which was loaded on the TVS motorcycle bearing no
registration number and was being driven by the petitioner
and co-accused Suraj Kumar.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is neither owner of the alleged motorcycle nor has any concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 10.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Kochaikote P.S.
Case No. 379 of 2024.

(Rudra Prakash Mishra, J)

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