

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83721 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- Jaitpur District- Muzaffarpur

Raju Kumar @ Nikhil Kumar S/O Late Lal Babu Rai Resident of village -
Govindpur, P.s.- Jaitpur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

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

ORAL ORDER

2 09-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Jaitpur
PS Case No. 126 of 2024 instituted for the offences under
Sections 274, 275, 3(5) of B.N.S and 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1117.53
litres of foreign liquor was recovered from three vehicles i.e.
Tata Pick-up, Mahindra Scorpio and Mahindra Bolero.

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 apprehended co-accused person disclosed the name of the petitioner. The petitioner is neither the owner nor the driver of the seized three vehicles. The petitioner is in custody since 09.10.2024 and has got one criminal antecedent in which he is on bail. 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 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 Jaitpur PS Case No. 126 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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