

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85010 of 2024**

Arising Out of PS. Case No.-432 Year-2024 Thana- Excise P.S. District- Sheikhpura

ABHISHEKH KUMAR S/o Rajesh Prasad @ Rajesh Kumar Kesari R/o  
Village- Girihinda, P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sheo Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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

ORAL ORDER

2      16-12-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Sheikhpura Excise PS Case No. 432 of 2024 instituted for the  
offences under Sections 30(a) and 56(a) of the Bihar Prohibition  
and Excise Act.

3.      The prosecution case, in short, is that total 62.500  
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 co-accused person namely, Chandan Kumar took lift from the petitioner with the bag. The petitioner is the owner of the vehicle in question. The petitioner is in custody since 30.10.2024 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 Sheikhpura Excise PS Case No. 432 of 2024.

**(Rudra Prakash Mishra, J)**

Raj Ranjan/-  

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