

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82999 of 2024

Arising Out of PS. Case No.-663 Year-2024 Thana- Excise P.S. District- Siwan

Niraj Kumar S/O Rabindra Rai Resident of Village- Mahua Singh Rai, Police
Station- Mahua and District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, APP

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Siwan
Excise (Excise Sadar Siwan) PS Case No. 663 of 2024 instituted
for the offences under Sections 30(a), 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 225 liters of
illicit liquor was recovered from the car. Petitioner was arrested
on the spot.

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. Petitioner is said to be driver of the vehicle in question and he was oblivious of the illicit liquor loaded in the vehicle. The petitioner is in custody since 29-10-2024 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 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, 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Siwan Excise (Excise Sadar Siwan) PS Case No. 663 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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