

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85075 of 2024

Arising Out of PS. Case No.-244 Year-2024 Thana- KASBA District- Purnia

Mukesh Kumar @ Mukesh Choudhary S/O Budhdeo Choudhary @ Budhu Choudhary R/O Vill.- Barsoni P.S.- Dagarua District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, 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 Kasba PS Case No. 244 of 2024 instituted for the offences under Sections 30(a) & 45 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 208.560 liters of foreign liquor was recovered from Scorpio.

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 petitioner is not the owner of the vehicle. Petitioner was



merely passenger of the vehicle in question and he had taken lift. The petitioner is in custody since 10-10-2024 and has got five criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

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 Kasba PS Case No. 244 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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