

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84747 of 2024

Arising Out of PS. Case No.-245 Year-2024 Thana- Excise P.S. District- Supaul

Surendra Yadav S/O Chandra Yadav Resident of village - Chancipatti, P.S-
Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shahid Alam Wazdi, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Supaul P.S. Case No. 245 of 2024, instituted for the offences
punishable under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 164.625
liters liquor was recovered from car and the petitioner was
apprehended on 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. It is further submitted that the petitioner is driver of the vehicle in question and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 03.10.2024 and has got three criminal antecedents in which he is on bail in all cases. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Supaul P.S. Case No. 245 of 2024.

(Rudra Prakash Mishra, J)

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