

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86664 of 2024

Arising Out of PS. Case No.-462 Year-2024 Thana- Excise P.S. District- Nalanda

Shashi Kapoor Son of Chandeshwar Prasad village- Toofanganj, Ps- Rahui,
Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise (Nalanda) P.S.
Case No. 462 of 2024, instituted for the offences punishable
under Sections 30(a) and 30(c) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that, 157 liters
spirit was recovered from the garage of the petitioner 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 spirit. Learned counsel for the petitioner further submits that the alleged recovery has been made from garage of the petitioner which belongs to the joint family of the petitioner. The petitioner is in custody since 16.10.2024 and has got one criminal antecedent in which he is on bail. 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 (Nalanda) P.S. Case No. 462 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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