

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84334 of 2024

Arising Out of PS. Case No.-278 Year-2024 Thana- Excise P.S. District- Vaishali

Sunny Kumar Son of Awadhesh Rai Resident of Village - Chakhaji Ward No.
- 12, P.S. - Tisiauta, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

**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
Hajipur Excise PS Case No. 278 of 2024 instituted for the
offences under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 369
litres of foreign liquor was recovered from two vehicles i.e.
Car and Pick-up Van.

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 neither the owner nor the driver of the seized vehicles. The petitioner is in custody since 03.10.2024 and has got three criminal antecedents. There is no compliance of Section 103 of B.N.S.S. Charge-sheet has been submitted in this case.

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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Hajipur Excise PS Case No. 278 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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