

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86234 of 2024

Arising Out of PS. Case No.-319 Year-2024 Thana- LADANIA District- Madhubani

Manish Kumar Sah S/O Jagdish Shah R/O village- Mahuliya, P.S.- Ladaniya,
Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, 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 connection with
Ladaniya PS Case No. 319 of 2024 instituted for the offences
under Sections 274, 275, 317(5), 3(5) of B.N.S. and 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 450
litres of Nepali soft wine was recovered from Scorpio and Car.

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 and knowledge with the alleged recovery of liquor.
It is submitted that recovery is made from the white Scorpio



which does not belongs to the petitioner. The petitioner is the driver of the honda city car and he was oblivious of the fact that illicit liquor was laden in the vehicle. The petitioner is in custody since 03.10.2024 and has got one criminal antecedent. 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) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ladaniya PS Case No. 319 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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