

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85039 of 2024**

Arising Out of PS. Case No.-332 Year-2024 Thana- Excise P.S. District- Buxar

Shivji Singh @ Shivjee Singh Son of Paltu Yadav Resident of Vill- Semari,  
P.S.- Dawath, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, 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 Buxar  
Excise P.S. Case No. 332 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 total 159.120  
litres of liquor has been recovered from Bajaj Auto.

4. Learned counsel for the petitioner submitted that the  
petitioner has falsely been implicated in the present case. No  
incriminating article has been recovered from the conscious  
possession of the petitioner. Learned counsel further submitted



that petitioner is not the owner of the vehicle. It is further submitted that petitioner is only the driver of the vehicle in question and had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 28.10.2024 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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, clean antecedent 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 Buxar Excise P.S. Case No. 332 of 2024.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

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