

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1878 of 2024

Arising Out of PS. Case No.-375 Year-2023 Thana- DIDARGANJ District- Patna

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Bittu Kumar, Son Of Manoj Ray R/O Village- Damriyahi Ghat, Ps-
Malsalami, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Didarganj P.S. Case No. 375/2023 lodged on 04.11.2023 under
Sections 30(a)/36 Bihar Prohibition and Excise (Amendment)
Act, 2022.

3. As per the prosecution case, the recovery of 160
liters of wine is the subject matter of the present case. The said
recovery has been made from a tempo.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not the owner of the vehicle rather he is the driver
of the said vehicle. He is completely unaware of what is loaded
on the said tempo as the passenger has loaded the said goods



and asked him to deliver the same at another place. The petitioner is in custody since 04.11.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, particularly in view of the fact that the petitioner does not have any criminal antecedent, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise, Patna City, Patna, in connection with Didarganj P.S. Case No. 375/2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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