

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86599 of 2024**

Arising Out of PS. Case No.-508 Year-2024 Thana- MOTIHARI MUFASIL District- East  
Champaran

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Kamlesh Kumar S/o- Jogendra Pandit @ Yogendra Pandit Resident of village-  
Lalbegiya PS- Chiraiya District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Karandeep Kumar, Advocate  
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

**ORAL ORDER**

2      18-12-2024                      Heard Mr. Karandeep Kumar, learned counsel for the  
  
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in connection with  
  
Mufasil P.S. Case No. 508 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, 44 liters  
  
liquor was recovered from E-rickshaw 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 liquor. Learned counsel for the petitioner further submits that the petitioner is neither owner nor driver of the said vehicle in question, rather he was a passenger of the E-rickshaw and had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 21.10.2024 and has got no criminal antecedent. 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 Mufasil P.S. Case No. 508 of 2024.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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