

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86146 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- EXCISE MANJHAUL District- Begusarai

Birendra Kumar S/O Rambilas Mahto @ Ram Bilas Mahto R/O Village-
Makhachak, P.S- Bakhri, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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

ORAL ORDER

2 17-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Manjhaul Excise P.S. Case No. 88 of 2024, instituted for the
offences punishable under Sections 30(a) and 30(c) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that, 24 liters
liquor was recovered from open field behind the house of the
petitioner 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. Charge-sheet has been submitted in this 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 alleged recovery has been made from an open place behind the house of the petitioner which is an open place and is easily accessible to public at large. The petitioner is in custody since 24.10.2024 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 Manjhaul Excise P.S. Case No. 88 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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