

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85706 of 2024

Arising Out of PS. Case No.-884 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Dilkhush Kumar Son of Dukho Sah village- Gangjala, Ward no. 15, Ps and
dist- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Parmanand 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
Saharsa Sadar PS Case No. 884 of 2024 instituted for the
offences under Sections 30(a) and 41 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 184.5
litres of foreign liquor was recovered from Bolero.

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. It is submitted
that petitioner is neither the owner nor the driver of the said



vehicle. The petitioner is in custody since 27.08.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S. Charge-sheet has been submitted in this case.

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 Saharsa Sadar PS Case No. 884 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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