

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86210 of 2024

Arising Out of PS. Case No.-765 Year-2024 Thana- Excise P.S. District- Bhagalpur

Rohit Kumar Son of Sri Raghunath Mandal Resident of Village-Lailakh
(Lailakh Mamlkha), P.S.- Sabour, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Sharma, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

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

ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Sadar PS Case No. 765 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 54 litres
of country made liquor was recovered from plastic bag of the
petitioner.

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 the labour. It is further submitted that recovery



is made from the Railway Station which is open and accessible to one and all. The petitioner is in custody since 07.10.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 103 of B.N.S.S.

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 Excise Sadar PS Case No. 765 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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