

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1893 of 2024

Arising Out of PS. Case No.-136 Year-2023 Thana- KACCHWA District- Rohtas

Govind Kumar Son of Nawala Ram R/o vill - Khasar, P.S. - Dhanauin, Distt. -
Badmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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
Kachhawa P.S. Case No. 136/2023 lodged on 21.09.2023 under
Sections 30(a)/32, 36, 41 Bihar Prohibition and Excise Act,
2016.

3. As per the prosecution case, the recovery of 4171.8
liters of wine is the subject matter of the present case. The said
recovery has been made from a truck.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact, the
said recovery has been made from a truck on which the wood
has been loaded. 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 truck. The petitioner is in custody since 23.09.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail and submits that there is complete prohibition of liquor in the State of Bihar but the petitioner has been apprehended being a driver of a truck from which a huge quantity of illicit liquor has been recovered.

6. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Kachhawa P.S. Case No. 136/2023, pending before the learned Exclusive Special Judge, Excise, Court No.1, Rohtas at Sasaram is hereby rejected.

8. However, the petitioner would be at liberty to renew his prayer for bail after framing of charge.

9. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J)

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