

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87185 of 2024

Arising Out of PS. Case No.-849 Year-2024 Thana- Excise P.S. District- Kaimur (Bhabua)

Vikash Kumar Son of Umesh Kumar Resident of Village-
Ballamichak(Balamichauk), Police Station- Phulwari Sharif (Anishabad),
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Dubey, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

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

ORAL ORDER

2 19-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Prohibition & Excise P.S. Case No. 849 of 2024 instituted for
the offences punishable under Sections 30(a), 32(1), 32(3),
41(1), 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 325.29
litres of liquor has been recovered from car. Petitioner was
arrested on the spot.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious



possession of the petitioner. Learned counsel further submitted that petitioner is not the owner of the vehicle. It is further submitted that petitioner is only the driver of the vehicle in question and had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 04.11.2024 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Prohibition & Excise P.S. Case No. 849 of 2024.

(Rudra Prakash Mishra, J)

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