

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2947 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- Lakho District- Begusarai

Shivshankar Roy S/O Nathuni Roy R/O Village- Tetarpur, Ward No.-6, P.S-
Mohaddin Nagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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

ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Lakho
PS Case No. 165 of 2024 instituted for the offences under
Sections 30(a), 32(3), 41(1) and (2) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 891 litres of
foreign liquor was recovered from Truck (WB23B-6814) and 18
litres of English wine was recovered from Swift Dzire Car.

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 driver of the seized truck and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 01.11.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S. Other co-accused has been granted bail by this Court vide order dated 09.01.2025 passed in Cr. Misc. No. 89326 of 2024.

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, clean antecedent of the petitioner 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 Lakho PS Case No. 165 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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