

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5139 of 2025

Arising Out of PS. Case No.-884 Year-2024 Thana- Excise P.S. District- Nawada

Chhotu Kumar S/o- Late Janki Singh Village-Amba Gola PS-Tilaiya Dist-
Kodarma Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

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

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nawada Excise PS Case No. 884 of 2024 instituted for the
offences under Sections 30(a) and 47 of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 480
litres of country made liquor was recovered from eight
motorcycles in which 80 litres of country made liquor was
recovered from the motorcycle bearing Registration No. JH-
12E-2076.

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 the mother of the petitioner is the owner of the seized motorcycle bearing Registration No. JH-12E-2076. The petitioner is in custody since 17.12.2024 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 passed by this Court *vide* order dated 28.01.2025 in Cr. Misc. No. 3105 of 2025.

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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nawada Excise PS Case No. 884 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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