

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9743 of 2025

Arising Out of PS. Case No.-1269 Year-2024 Thana- Excise P.S. District- Aurangabad

Upendra Kumar Son of Late Ramesh Ram Resident of Village - Tarwan
Khurd, P.S. - Hariharganj, District - Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

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

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

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Excise PS Case No. 1269 of 2024, G.R. No. 2221 of 2024
instituted for the offences under Sections 30(a) and 32(3) of
the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
541.92 litres of liquor was recovered from 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 neither the owner nor the driver of the seized vehicle. The petitioner is in custody since 22.12.2024 and has got no criminal antecedent. 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, 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 Excise PS Case No. 1269 of 2024, G.R. No 2221 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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