

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20870 of 2025

Arising Out of PS. Case No.-462 Year-2024 Thana- TARAIYA District- Saran

Shambhu Patel @ Shambhu Prasad S/O Late Bigan Prasad Resident of
Village- Gopal Bari, P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate
		Mr. Ranjit Kumar Thakur, Advocate
For the State	:	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-04-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, total 6048 litres of spirit
was recovered from a truck and car and co-accused persons,
who were apprehended at the spot, disclosed the name of this
petitioner as their associate.

4. It is submitted by learned senior counsel for the
petitioner that petitioner is quite innocent and has committed no
offence. Petitioner is neither owner nor driver of the vehicles in
question and has been made an accused in this case merely on
the basis of confessional statement of co-accused persons who



were apprehended at the spot. No incriminating article has been recovered from conscious possession of this petitioner. Except confessional statement, there is no material on record to show the complicity of this petitioner in the alleged occurrence. Charge-sheet has already been submitted and petitioner is in custody since 17.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, fact that no incriminating article has been recovered from conscious possession of this petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Exclusive Special Excise Judge, Saran, Chapra in connection with Taraiya P.S. Case No. 462 of 2024.

(Prabhat Kumar Singh, J)

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