

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84738 of 2024

Arising Out of PS. Case No.-1887 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Mani Shankar Kumar S/o Dinesh Sah R/o Village- Sahpur, PS- Hathauri,
Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

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

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

ORAL ORDER

3 31-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
PS Case No. 1887 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 1190
litres of liquor was recovered from Tractor.

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 petitioner is neither the owner nor the driver of the



seized tractor. The petitioner is in custody since 20.10.2024 and has got one criminal antecedent in which he is on bail. There is no compliance of Section 100 of Cr.P.C. Other co-accused has been granted regular bail passed by this Court *vide* order dated 04.12.2024 in Cr. Misc. No. 82583 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 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 Excise PS Case No. 1887 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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