

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86536 of 2024

Arising Out of PS. Case No.-1761 Year-2024 Thana- Excise P.S. District- East Champaran

Dinesh Kumar S/O Birendra Mukhiya Resident of village- Bakhari Khajuri,
ward no. 3, P.S.- Dhaka, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Kumar Pandey, Adv.
For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-01-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise (Motihari) P.S. Case No. 1761 of 2024 dated 17.10.2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 189 litres of illicit Nepali country made liquor was recovered from the sacks tied with the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is not the owner but he is driver of the said motorcycle. The petitioner has no concern with the alleged



recovery. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with Excise (Motihari) P.S. Case No. 1761 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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