

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86526 of 2024

Arising Out of PS. Case No.-171 Year-2024 Thana- EXCISE SHERGHATI District- Gaya

Rohit Kumar @ Rohit Shri Ram Mistry @ Rohit Mistry Son of Sri Ram
Racca @ Shri Ram Rachha Mistry Resident of Village- Kalwan, P.S.- Amas,
Distt.- Gaya, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Adv.

For the Opposite Party/s : Mr.Arvind Kumar Pandey, 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 (Sherghati) P.S. Case No. 171 of 2024 dated 04.10.2024 registered for the offences punishable u/ss 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 100 litres of illicit country made liquor was recovered from the E-rickshaw. It is further alleged that the petitioner was found sitting in the said E-rickshaw.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is not the owner of the said vehicle. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner was sitting in the said E-rickshaw as a passenger having no knowledge about the said liquor. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.10.2024.

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, Gaya in connection with Excise (Sherghati) P.S. Case No. 171 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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