

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87317 of 2024

Arising Out of PS. Case No.-1075 Year-2024 Thana- EXCISE DANAPUR District- Patna

Manish Kumar S/o- Vinod Kumar Ray @ Binod Rai Resident of village- Hal
Khoriyachak Police Station-Bihta District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhoy Kumar Kashyap, Adv.

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Danapur P.S. Case No. 1075 of 2024 instituted for the offences
under Sections 30(a), 32(3) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per prosecution case, the police has recovered 80
liters of illicit country-made liquor from a sack which was tied
on the motorcycle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been
recovered from the conscious possession of the petitioner. The
petitioner has never indulged in illicit liquor business and, thus,



the petitioner has no concern with the recovered liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 07.09.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Danapur P.S. Case No. 1075 of 2024.

(Rudra Prakash Mishra, J)

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