

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87564 of 2024

Arising Out of PS. Case No.-2543 Year-2024 Thana- Excise P.S. District- Patna

Shrawan Kumar @ Sharwan Kumar S/o- Late Vineshwar Sao @ Late Vineshwar Shaw Village- Jay Prakash Nagar Ps- Jakkanpur Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Excise PS Case No. 2543 of 2024 instituted for the offences under Sections 30(a), 32(3) & 56(b) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 225 liters country made liquor was recovered from motorcycle and tempo.

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. Petitioner is said to be driver of the tempo in question and he was oblivious of the fact that illicit liquor was laden in the vehicle. Petitioner has no concern with the motorcycle in question. The petitioner is in custody since 30-10-2024 and has got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

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, clean antecedent of the petitioner 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) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 2543 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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