

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87890 of 2024

Arising Out of PS. Case No.-499 Year-2024 Thana- AKBARPUR District- Nawada

Suraj Kumar Son of Uday Chaudhary Resident of village - Lodipur, P.S.-
Akbarpur, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Nandan Prasad, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 20-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Akbarpur P.S. Case No. 499 of 2024 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2022 (amendment).

3. As per prosecution case, the police has recovered
total 63 litres illicit country-made liquor from a motorcycle
bearing Red. No. BR27V-7047.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case with false and frivolous allegations. The petitioner
has not committed any offence as alleged in the F.I.R. He further
submits that nothing incriminating has been recovered from the
conscious/physical possession of the petitioner. The petitioner is



neither driver nor owner of the alleged vehicle. The petitioner has no concern with the seized 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 24.11.2024 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. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, 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 Akbarpur P.S. Case No. 499 of 2024.

(Rudra Prakash Mishra, J)

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