

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87732 of 2024

Arising Out of PS. Case No.-176 Year-2024 Thana- Excise Benipatti District- Madhubani

Uma Shankar Kumar Son of Sri Shambhunath Jha @ Shambhunath Jha
Resident of Village - Bhatahisher, (Bhattisher), Police Station - Benipatti,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah, Adv.

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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

ORAL ORDER

2 06-02-2025 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 Benipatti Excise P.S. Case No. 176 of 2024 dated 28.10.2024 arising out of G.O. Case No. 2716 of 2024 registered for the offences punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 903.240 litres of illicit foreign liquor was recovered from the Container.

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. The petitioner is only the co-driver of the said vehicle and he has no



concern with the alleged recovery. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.10.2024.

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, Madhubani in connection with Benipatti Excise P.S. Case No. 176 of 2024 (G.O. Case No. 2716 of 2024).

7. The application stands allowed.

(Chandra Prakash Singh, J)

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