

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7944 of 2024

Arising Out of PS. Case No.-157 Year-2023 Thana- CHACKMEHSI District- Samastipur

Gulab Ray @ Gulab Kumar Son of Late Ramdev Ray @ Rajo Rai @ Raja
Ram Ray Resident of Village- Chhet Bakhri, P.S.- Kalyanpur, Distt.-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate
For the State : Mr. Dr. Kumar Uday Pratap, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Chakmehsi P.S. Case No. 157 of 2023 instituted for the offence
under Section 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2018.

3. As per prosecution case, there is recovery of total
284 liters of illicit foreign liquor from different motorcycles.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 24-11-2023. Petitioner
bears three criminal antecedents, as per disclosure made in
paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has been surfaced in this case due to confessional statement of co-accused, namely, Sawan Kumar and Vinesh Kumar, who have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 70138 of 2023 & 70876 of 2023 respectively. Other co-accused have been granted bail by Co-ordinate Bench of this Court passed in Cr. Misc. No. 80581 of 2023 & Cr. Misc. No. 82050 of 2023. There is no compliance of Section 100 of the Cr.P.C.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Chakmehsi P.S. Case No. 157 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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