

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8953 of 2024

Arising Out of PS. Case No.-143 Year-2023 Thana- BAKHTIYARPUR RAIL P.S. District-
Patna

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Dinesh Rai Son of Late Suraj Rai R/o Village - Gadhochak, P.S Nadi, District
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate
For the Opposite Party/s : Mr. Gulnar Begum, APP

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

ORAL ORDER

- 2 19-02-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.
2. The petitioner seeks bail in connection with Rail
Bakhtiyarpur (Fatuha) P.S. Case No. 143 of 2023 instituted for
the offences punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.
3. The prosecution case, in short, is that total 58.320
litres of illicit liquor was recovered from the bag on motorcycle.
4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is not the driver of the vehicle. The petitioner has



got no concern with the alleged recovery of liquor. The petitioner is in custody since 02.12.2023 and has one criminal antecedent. There is no compliance of Section 100 of the Cr.P.C.

5. Learned APP 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 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 Rail Bakhtiyarpur (Fatuha) P.S. Case No. 143 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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