

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10481 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- BALIGAON District- Vaishali

Naval Kumar @ Naval Rai S/o Sonil Rai R/o Vill - Mahiyamalpur, P.S. -
Patepur, Dist. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Ravish Mishra, Advocate
For the State : Mr. Lakshmi Kant Sharma, APP

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

ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Baligaon P.S. Case No. 114 of 2023 instituted for the offence
under Sections 272, 273 & 34 of the IPC and Sections
30(a)/32(2)/41(1) of the Bihar Prohibition and Excise
Amendment Act, 2018.

3. As per prosecution case, there is recovery of total
492.94 liters of illicit Indian made foreign liquor from Janera
farm and bamboo bushes.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-12-2023. Petitioner
bears one criminal antecedent, 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. Petitioner has no concern with the alleged recovered liquor. The recovery is from an open place, which is accessible to one and all. There is no compliance of Section 100 of the Code of Criminal Procedure, 1973.

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 manner of implication, 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 Baligaon P.S. Case No. 114 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

