

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9781 of 2024

Arising Out of PS. Case No.-674 Year-2023 Thana- KRITYANAND NAGAR District-
Purnia

=====

Rajiv Roy @ Rajiv Kumar Ray S/O- Ishwari Ray @ Ishwar Chand Ray R/O-
Village- Souraha Ward No.- 12, P.S.- K. Nagar, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Bhola Prasad, Advocate
For the State	:	Mr. Dr. Kumar Uday Pratap, APP

=====

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

ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with K.
Nagar (Champanagar) P.S. Case No. 674 of 2023 instituted for
the offence under Sections 272 & 273 of the IPC and Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of total
40 liters of illicit country made liquor from courtyard of the
petitioner.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 29-11-2023. 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 has been made from a joint and dwelling house of the petitioner. 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 K. Nagar (Champanagar) P.S. Case No. 674 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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

