

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12387 of 2024

Arising Out of PS. Case No.-280 Year-2023 Thana- MAHNAR District- Vaishali

Pintu Ray Son of Ramji Ray Village Mahindwara, P.S. Mahnar, Dist. Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

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

ORAL ORDER

2 26-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Mahnar P.S. Case No. 280 of 2023, instituted for the offences punishable under Sections 272, 273, Sections 30(a), 32(ii)(iii), 36 and 41(i)(ii) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 4876.965 liters liquor was recovered from truck.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Name of the petitioner transpired from the confessional statement of co-accused



person. The petitioner is in custody since 19.01.2024 and has got two criminal antecedents in which the petitioner is on bail. There is no compliance of Section 100 of 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mahnar P.S. Case No. 280 of 2023.

(Rudra Prakash Mishra, J)

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