

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15553 of 2024

Arising Out of PS. Case No.-478 Year-2023 Thana- JAYNAGAR District- Madhubani

Jay Prakash Roy Son of Late Umakant Roy Resident of Village- Mahuwa,
P.S.- Khajauli, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 1732 of 2023, arising out of Jaynagar P.S. Case No. 478 of
2023, instituted for the offences punishable under Sections 272,
273, 414, 34 of the Indian Penal Code and Section 30(a) of the
Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 279.39 liters
liquor was recovered from two motorcycles and the petitioner
was apprehended on spot.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this 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. It is further submitted that the petitioner is not owner of any of the seized motorcycles and he was a passerby. The petitioner is in custody since 30.11.2023 and has got no criminal antecedent. 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 G.R. No. 1732 of 2023, arising out of Jaynagar P.S. Case No. 478 of 2023.

(Rudra Prakash Mishra, J)

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