

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16163 of 2024

Arising Out of PS. Case No.-109 Year-2021 Thana- KHAIRA District- Saran

Shatrughan Rai @ Shatrudhan Ray Son Of Late Ram Nath Rai Resident Of
Village - Sadha, P.S. - Chapra Muffasil, District - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

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

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

ORAL ORDER

2 06-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Khaira P.S. Case No.
109 of 2021, instituted for the offences punishable under
Sections 30 and 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 40 liters
spirit was recovered from motorcycle.

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 spirit. It is further submitted that
petitioner's wife is owner of the said motorcycle. The petitioner



is in custody since 15.10.2023 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 Khaira P.S. Case No. 109 of 2021.

(Rudra Prakash Mishra, J)

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