

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22186 of 2024**

Arising Out of PS. Case No.-265 Year-2021 Thana- VAISHALI District- Vaishali

Mahendar Rai Son Of Late Jagdish Rai R/O-Belsar, P.S.-Vaishali (Belsar),  
Distt.-Vaishali, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mrs. Renu Kumari, APP

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

ORAL ORDER

2      21-03-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in Vaishali (Belsar O.P.)  
P.S. Case No. 265 of 2021, instituted for the offences punishable  
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 1656.570  
liters liquor was recovered from two places out of which  
1420.230 liters liquor was recovered from the house of the  
petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and 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. It is further submitted that the alleged recovery was made from the joint house of the family where other family members also reside. The petitioner is in custody since 16.02.2024 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 Vaishali (Belsar O.P.) P.S. Case No. 265 of 2021.

**(Rudra Prakash Mishra, J)**

Rajorshi/-

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