

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21655 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- SARAI District- Vaishali

=====

Dashrath Rai @ Dashrath Kumar @ Dashrath Kumar Rai son of Mahendra Ray R/o- W.No-7, Majharabad Kheshrahi Murgiya Chak Ps- Patepur Dist- Vaishali A/p- Saidpur Dumra Ps- Patepur Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Gulnar Begum

=====

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sarai P.S. Case No. 138 of 2023 dated 20.05.2023, registered for the offences punishable u/ss 272, 273 and 34 of the Indian Penal Code and u/ss 30(a), 32, 36, 41(i) and 41(ii) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 4752 litres of foreign liquor was recovered from different vehicles.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has four criminal antecedents in which he is on bail as stated in para 3 of the bail petition. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is neither the owner nor the driver of the seized vehicles. The petitioner has no concern with the alleged recovery. The petitioner is in custody since 17.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Vaishali at Hajipur in connection with Sarai P.S. Case No. 138 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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

