

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27459 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- PHULPARAS District- Madhubani

Hira Rai @ Heera Mandal @ Hiralal Rai S/o Nageshwar Ray @ Nagesar Ray
R/o vill - Siswar, P.S. - Phulparas, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Bharti, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore, App

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-06-2024 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 Phulparas P.S. Case No. 284 of 2023, corresponding to G.R. No. 378 of 2023 dated 23.05.2023 registered for the offences punishable under Sections 420, 268, 471 and 120(B) of the I.P.C. and under Sections 30(a), 32 and 41 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2810.52 liters of illicit liquor was recovered in a container from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner is neither the owner nor the driver of the seized vehicle. The petitioner has been made accused merely on suspicion. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 09.02.2024 passed in Cr. Misc. No. 6453 of 2024. The petitioner has three other criminal antecedents of similar nature in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 13.02.2024.

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, Jhanjharpur at Madhubani in connection with Phulparas P.S. Case No. 284 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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