

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27180 of 2024

Arising Out of PS. Case No.-84 Year-2024 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Md. Riyajuddin Ahmad Son of Md. Mainul Haque Resident of Village -
Chainpur, P.S. - Minapur, District - Muzaffarpur, At present Ratu Road,
Pandasa, Muslim, P.S. - Barti, District - Ranchi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Rajendra Singh, APP

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

ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Town P.S. Case No. 84
of 2024, instituted for the offences punishable under Sections
272, 273, 414, 420, 467, 468, 34 of the Indian Penal Code,
Sections 30(a) and 41(1) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that, 1600 liters
raw spirit was recovered from two vehicles and from the
campus of Capital Transport Organization. The petitioner was
apprehended on spot.

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 raw spirit. It is further submitted that neither the two seized vehicles nor the Transport Organization belong to the petitioner. The petitioner was waiting for his brother-in-law at the gate of Transport Organization and on the basis of suspicion the petitioner was arrested. The petitioner is in custody since 07.02.2024 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 Town P.S. Case No. 84 of 2024.

(Rudra Prakash Mishra, J)

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