

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30774 of 2024

Arising Out of PS. Case No.-94 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Bhola Ray S/o Ranjeet Ray R/o Vill.- Didarganj, P.S.- Didarganj, Distt. -
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Rudra Deo
For the Opposite Party/s : Mr.Arun Kumar

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Government Official Comp. P.S. Case No. 94 of 2019 instituted
for the offences punishable under Sections 30(a), 30(3), 41(1)
and 41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 2670.480
liters of illegal liquor was recovered from a *Truck*.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner was not apprehended on spot. The name of the petitioner has come into light on the basis of information supplied by spy. No incriminating article has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that petitioner is neither the driver nor the owner of the vehicle in question and has no concern with the alleged recovery. The petitioner is in custody since 26.02.2024 and has no criminal antecedent. There is no compliance of Section 100 of the 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Government Official Comp. P.S. Case No. 94 of 2019, Subject to following conditions:

(i) One of the bailors shall be own/close member of



the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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