

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39280 of 2024

Arising Out of PS. Case No.-66 Year-2020 Thana- MUSRIGHRARI District- Samastipur

Ravi Kumar, aged about 36 years (Male), Son of Mahesh Prasad @ Mahesh Prasad Sah, Resident of Village- at and P.O.- Bishambharpur Ailoth, P.S- Musrigharari, Dist- Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sitaram Prasad, Advocate

For the Opposite Party : Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-07-2024 This matter has been listed under the heading 'For Orders (on office notes)'.

2. Let the defect no. 7(a), as pointed out by the office notes dated 15.05.2024, be ignored.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Musrigharari P.S. Case No. 66 of 2020 dated 17.06.2020 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

5. As per the prosecution case, total 155.520 litres of foreign liquor was recovered from a Maruti vehicle.

6. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. It is submitted that no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the recovered liquor. It is submitted that the petitioner is not the registered owner of the said Maruti vehicle in question as stated in paragraph no. 10 of the bail application. There is no compliance of Section 100 of the Cr.P.C. The petitioner has three criminal antecedents, as stated in paragraph no. 3 of the bail application. The petitioner is in custody since 17.01.2024.

7.Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, let the above named petitioner, 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 the learned C.J.M., Samastipur in connection with Musrigharari P.S. Case No. 66 of 2020.

9. The application stands allowed.

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(Chandra Prakash Singh, J)

