

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32314 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- NAYAGAON District- Saran

1. Suggalal Ray @ Suglal Lal Ray Son of Devki Ray Resident of Village - Baariyarchak (Hasilpur), P.S.- Nayagaon, District - Saran at Chapra (Bihar).
2. Subash Ray @ Subhash Ray Son of Rajnath Ray Resident of Village - Baariyarchak (Hasilpur), P.S.- Nayagaon, District - Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Nayagaon P.S. Case No. 47 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 165 liters liquor and 5500 liters raw materials was recovered from the bank of river. Police destroyed the raw materials on the spot.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Recovery has been made from river side area which does not belong to the petitioners. Charge-sheet has



been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioners have got no concern with the alleged recovery of liquor. The petitioners are in custody since 17.03.2024 and have got no criminal antecedent. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. 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 clean antecedent of the petitioners and the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nayagon P.S. Case No. 47 of 2024.

(Rudra Prakash Mishra, J)

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