

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32452 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

Pappu Rai SON OF LATE SHANKAR RAY RESIDENT OF VILLAGE-
NEHALPUR, PS- RAMPUR HARI, DIST- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Shaheen Begum, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in Rampur Hari P.S. Case No. 50 of 2023 instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code and sections 30(a), 32(II) (III), 36, 41 (I)(II) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3526.8 liters of IMFL was recovered from a truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to political rivalry. Petitioner is neither owner nor driver of the truck. Charge-sheet has been submitted in this 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 liquor. Petitioner has four antecedent. The petitioner is in custody since 18.03.2024. 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 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 Rampur Hari P.S. Case No. 50 of 2023 subject to the 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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