

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32334 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- SHRIKRISHNAPURI District- Patna

Jay Kishan @ Chhotu @ Jai Kishan SON OF LATE RAGHAV RAI @ JAYNATH RAI @ NATH RAI Resident of mohalla- Rajapur, Pranami Mandir, Police Station - Shri Krishnapuri , District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, 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 Krishnapuri P.S. Case No. 97 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 197.99 liters liquor was recovered from a three storied building.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The recovery as alleged has been made from an under constructed house and the petitioner has no concern with the said liquor. 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. The petitioner is in custody since 3.4.2024 and has got antecedent of one criminal case in which he is on bail. 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 Shrikrishnapuri P.S. Case No. 97 of 2024.

(Rudra Prakash Mishra, J)

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