

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34613 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Rajnarayan @ Raj Narayan Ray Son of Satynarayan Ray @ Satyanarayan
Ray R/O Village- Makanpur, P.S.-Karpurigram, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Musrigharari P.S. Case No. 38 of 2024, instituted for the offences punishable under Sections 419, 420 of the Indian Penal Code, Sections 30(a), 33, 36 and 41 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 600 liters spirit was recovered from a car and from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present 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 21.03.2024 and has got no criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 23.04.2024 passed in Cr. Misc. No. 31001 of 2024. There is no compliance of Section 100 of 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, the period of custody undergone by the petitioner and claim based on parity, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Musrigharari P.S. Case No. 38 of 2024.

(Rudra Prakash Mishra, J)

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