

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34846 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- PIPRA District- East Champaran

Rajendra Sah Son of Jattu Sah Resident of Village- Parshurampur, P.S.- Pipra,
Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pipra P.S. Case No. 82 of 2024, instituted for the offences punishable under Section 414 of the Indian Penal Code, Section 30(a) and 41(1) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 64.44 liters liquor was recovered from the hut 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. It is further



submitted that the alleged recovery has been made from the joint family property of the petitioner where other family members also reside. The petitioner is in custody since 23.03.2024 and has got two criminal antecedents in which the petitioner is on bail. 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 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pipra P.S. Case No. 82 of 2024.

(Rudra Prakash Mishra, J)

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