

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37336 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- LAKHAURA District- East Champaran

Nawal Rai Son of Late Dina Nath Rai Resident of Village - Chhotka Pakahi,
Police Station - Lakhaura, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Shankar Shrivastava, Advocate

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

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

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Lakhaura P.S. case No.
14 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 78 liters liquor
was recovered from a bush behind the house of the petitioner
and the petitioner was arrested on spot.

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 recovery is made from back side of the house of the petitioner which is open space accessible to anyone. The petitioner is in custody since 31.03.2024 and has 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 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 Lakhaura P.S. case No. 14 of 2024.

(Rudra Prakash Mishra, J)

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