

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36016 of 2024

Arising Out of PS. Case No.-118 Year-2024 Thana- BABUBARHI District- Madhubani

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Basant Ray @ Basant Kumar Ray Son of Late Kari Ray R/O Vill.-
Sidhapkala, P.S.- Ladaniya, Dist.- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
For the Opposite Party/s :		Mr. Braj Kishore Pd., APP

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

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Babubarhi P.S. Case
No. 118 of 2024, G.R. No. 404 of 2024, instituted for the
offences punishable under Sections 272, 273/34 of the Indian
Penal Code, Sections 30(a) and 41(1) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 125.250
liters liquor was recovered from car and the petitioner was
apprehended 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 the petitioner is driver of the seized vehicle and he has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 23.03.2024 and has got one criminal antecedent 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 Babubarhi P.S. Case No. 118 of 2024, G.R. No. 404 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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