

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37956 of 2024

Arising Out of PS. Case No.-126 Year-2024 Thana- RAJNAGAR District- Madhubani

Raj Kumar Mahto S/o Late Singheshwar Mahto R/o vill - Rampatti
Durgasthan, P.S. - Raj Nagar, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Gagan Deo Yadav, Advocate
		Mr. Ravi Prakash, Advocate
For the Opposite Party/s :		Mr.Md. Nazir Ansari, APP

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

ORAL ORDER

2 17-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rajnagar P.S. case No.
126 of 2024 instituted for the offences under Sections 272, 273
of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 156.540 liters
liquor was recovered from behind the house of the petitioner.
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 bushes behind the house of the petitioner which is an open place. The petitioner is in custody since 20.04.2024 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 Rajnagar P.S. case No. 126 of 2024.

(Rudra Prakash Mishra, J)

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