

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39566 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- KARJA District- Muzaffarpur

Suresh Ray @Suresh Kumar @Suresh Rai S/O Kamal Ray @it Kamal Ray
R/O Village Arizpur(Arijpur), P.S. Karja, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Nitu Kumari, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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

ORAL ORDER

3 12-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in Karja P.S. Case
No. 30 of 2024, registered under Sections 272, 273, 34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that, 349.200
liters liquor was recovered from the house of co-accused
Akhilesh Sahani.

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. Learned counsel for the petitioner further submits that the petitioner is not named in the F.I.R. and his name has transpired on the basis of confessional statement of co-accused Akhilesh Sahani which has no evidentiary value. The petitioner has got no criminal antecedent. 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, let the petitioner, above named in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory 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 Karja P.S. Case No. 30 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

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