

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40618 of 2024**

Arising Out of PS. Case No.-102 Year-2024 Thana- RAJAPAKAR District- Vaishali

Saheb Kumar Son Of Late Asarfi Ray @ Asarphi Ray Resident Of Village -
Diwantok, P.S. - Gangabridge, District - Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate
For the Opposite Party/s : Mrs. Veena Kumari Jaiswal, APP

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

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rajapakar P.S. Case No.
102 of 2024, instituted for the offences punishable 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, 220 liters
liquor was recovered from tempo 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. Learned counsel for the petitioner further submitted that the petitioner is neither owner nor driver of the tempo in question, rather he was a passenger in that vehicle and has no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 27.03.2024 and 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 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 Rajapakar P.S. Case No. 102 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

U		T	
---	--	---	--

