

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41249 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- RAMPUR HARI District- Muzaffarpur

Navin Rai S/o Late Shankar Ray R/o vill - Nehalpur, P.S. - Rampur Hari,
Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Rampur Hari P.S. Case No. 50 of 2023 instituted for the offences under Sections 272, 273 and 34 of the Indian Penal Code and sections 30(a), 32(II) (III), 36, 41 (1)(II) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 3526.8 liters of IMFL was recovered from a truck.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to political rivalry. Petitioner is neither owner nor driver of the truck. Charge-sheet has been submitted in this 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. Petitioner has three antecedent. The petitioner is in custody since 17.04.2024. There is no compliance of Section 100 of Cr.PC. It is further submitted that co-accused Pappu Rai has been enlarged on bail vide order dated 30.04.2024 passed in Cr. Misc. No. 32452 of 2024 by this Court.

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 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 Rampur Hari P.S. Case No. 50 of 2023.

(Rudra Prakash Mishra, J)

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