

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49718 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Lal Das Rai, Male, aged about 30 years, S/o Nath Narayan Rai, R/o vill - Bara (Basantpur), P.S. - Ara Maffasil, Distt.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Shweta, Advocate
For the Opposite Party : Mrs. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-07-2024 Let the defect, as pointed by the office notes dated 05.07.2024, be ignored.

2. This matter has been listed under the heading “ For Orders (on office notes)”.

3. Heard learned counsel for the petitioner and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Ara Muffasil P.S. Case No. 06 of 2024 dated 08.01.2024 registered for the offences punishable under Sections 30(1) and 32(3) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

5. As per the prosecution case, total 400 litres illicit liquor was recovered from the Alto Car in question.

6. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the alleged recovered illicit liquor. The petitioner is neither the owner nor the driver of the said car in question. There is no compliance of Section 100 of the Cr.P.C. The petitioner has six criminal antecedents and in five cases, he is on bail as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 05.04.2024.

7. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court-Ist, Bhojpur, Ara in connection with Ara Muffasil P.S. Case No. 06 of 2024 with further condition:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are



liable to be cancelled.

9. The application stands allowed.

(Chandra Prakash Singh, J)

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