

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41933 of 2024

Arising Out of PS. Case No.-262 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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Rajvallabh Roy @ Rajballam Ray @ Rajballabh Ray Son Of Late Ram Lagan
Ray R/O- Kachhi Dargah, Tilak Nagar, P.S.- Nadi, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Akbar Ali

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

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with P.R.
Nadi P.S. Case No. 262 of 2018 instituted for the offences
punishable under Sections 30(a), 38(2) and 47 of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that total 1575
liters of liquor was recovered from the petitioner's house.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner was not apprehended on spot. The name of the
petitioner has come into light on the basis of confessional
statement of co-accused, which has got no evidentiary value in



the eyes of law. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 26.04.2024 and has no criminal antecedent. Petitioner has no knowledge regarding the alleged occurrence. There is no compliance of Section 100 of the 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 as well as 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 P.R. Nadi P.S. Case No. 262 of 2018.

(Rudra Prakash Mishra, J)

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