

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49959 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Ravindra Rai @ Bagar Rai @ Ravindra Prasad Yadav S/o Late Chandrika Rai
@ Manirka Rai R/o vill - Mathiya Bariyarpur, P.S. - Pipra Kothi, Distt. - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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

ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Pipra Kothi P.S. Case No. 94 of 2024, instituted for the offences punishable under Section 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, 30 liters liquor was recovered from *jhopri* behind the house of the petitioner 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 alleged recovery has been made from an open place behind the house of the petitioner which is easily accessible to public at large. The petitioner is in custody since 06.05.2024 and has got two criminal antecedents in which the petitioner is on bail. 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 Pipra Kothi P.S. Case No. 94 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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